Acta Apostolicae Sedis

Volume VI (1914)
Commentarium Officiale — The Official Acts of the Holy See

The Holy See

(Sancta Sedes)

An English translation of the Latin edition
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Note on this translation. This English text was produced by a machine-assisted translation pipeline from an OCR transcription of the source Latin edition. The draft translation was made by a specialised translation model, assisted by a dedicated ecclesiastical-Latin knowledge base which supplied Douay–Rheims wording for Scripture quotations and verified place-names and terminology. It is an unofficial reading aid and has *not* undergone formal scholarly revision; occasional errors will remain, particularly in the dense citation apparatus. Marginal references of the form [*Latin ed. p. N*] indicate the corresponding page of the source edition, for alignment with the original scans. Blank leaves and unreadable pages have been omitted.

[*Latin ed. p. 1*]

ACTS OF THE APOSTOLIC SEE, OFFICIAL COMMENTARY, VOLUME V, YEAR V. - VOLUME VI. ROME, PRINTED BY THE VATICAN POLYGLOT PRESS, MDCCCLXXXIV.

[*Latin ed. p. 5*]

Year VI. - Vol. VI. January 19, 1914. No. 1. OFFICIAL COMMENTARY OF THE COLLEGE OF THE HOLY SEE. ACTS OF POPE PIUS X, BY HIS OWN MOTION, CONCERNING THE GOVERNMENT AND ADMINISTRATION OF THE ROMAN MINOR SEMINARY AT VATICANUM.

PIUS PP. X. Now that, those things which We established by the Apostolic Constitution *In praecipuis die* on June 29, 1913, have begun to be put into effect, and it has become apparent that the students of the old Roman Seminary have been divided into two new divisions, a larger and a smaller one, it has been observed that in the minor seminary, or Vatican, of those students who have progressed, there are far more than those who are already serving in the Basilica of Saint Peter, providing for its expenses. And, considering the circumstances, this is not surprising, but rather entirely fitting: for the field of sacred duties is, without doubt, much wider throughout the entire City than within the Vatican temple, and therefore it requires a greater number of priests. Furthermore, with regard to the revenues of the same minor seminary, it has become apparent, as was to be expected, that they are largely contained within the pensions established for the support of the students of the Roman clergy, together with the sum of money which We and Our successors must contribute annually. Considering these things, We have begun to consider how it is necessary and fitting that the Sacred Administrators of the City of ROMANI, Our Cardinal Vicar, should be thoroughly and completely aware of this matter, and for this purpose, it seems just that this seminary should not be taken from their care and vigilance, in which they should...

[*Latin ed. p. 6*]

6. Acts of the Apostolic See. – An official commentary regarding the sacred order by which any priest who is about to perform his sacerdotal duties in the City [Rome] will be instituted. And this very thing aided Us; those from the most distinguished College of Cardinals, whom We had consulted regarding the better establishment of seminaries in the City, supported Us; therefore, when We gave Our own laws or regulations, as We mentioned, for the execution of this matter, We indicated that Our prescriptions in this case were to be considered temporary, not obscurely. Therefore, after carefully considering all things, We now believe that the time has come for Our own smaller seminary at Vatican [Vatican] to be ordered in a firm and stable manner. Therefore, by Our own initiative and by the fullness of Our apostolic power, We decree and establish through

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these letters that the Cardinal, as Archpriest of the Basilica of Saint Peter, shall always preside over the seminary at Vatican, for the sake of honor, and that he shall retain all the rights which belong to him, as Ordinary, concerning the students of both seminaries who are educated and supported by the Chapter of Vatican; and that the Cardinal Vicar of the Roman Pontiff in the City shall alone hold the governance and administration of the same seminary at Vatican in all matters pertaining to discipline, piety, studies, and the administration of goods; and that he shall preside over a double Council of Delegates, both for the regulation of discipline and for the management of economic affairs; that these councils shall continue to be such as were established according to Our laws or regulations, as We have said. Furthermore, We wish the established provision of funds and the burdens of justice, which are provided to or are to be provided in the future to the same seminary by the Chapter of Vatican, to remain in force; also, whatever has been sanctioned by Our Constitution and by the principal regulations attached to it, shall remain in full force, without prejudice to these letters: which, and all that they contain, We declare to be valid forever, and We command that they be diligently observed by all, notwithstanding any contrary provisions, even those deserving of special mention. Given at Rome, at Saint Peter's, on the sixth day of January, in the Epiphany of the Lord, in the year 1914, in the eleventh year of Our pontificate. PIUS PP. X.

[*Latin ed. p. 7*]

Acta Pii PP. X, 7, EPISTOLA. AD R. P. D. IOANNEM A. BAZAN, EPISCOPUM PARANENSIUM, DE PROMOTIONE CULTUS S. NICOLAI BARENSIS.

Venerable Brother, greetings and the apostolic blessing.

We remember with what great joy we heard, from you yourself in recent days, what you wished to report concerning the honors which are frequently and abundantly rendered to St. Nicholas of Bari, in the church in the city of Rioja, which, under your guidance, piety has raised up, and also concerning the heavenly favors with which the most holy Bishop enriches his followers, not without great benefit. We are glad with you in the Lord, and, venerable Brother, we congratulate you most sincerely, for, as is fitting, you strive for the increase of the glory of Him who wishes to be glorified and worshipped in His saints.

We ourselves also desire to contribute something to this matter; and when you return to Rome, we wish you to be the bearer of a golden icon, adorned with precious stones, by which you will adorn the venerable image of the Bishop of Myra, in our name and on this day.

And so that nothing may be lacking to demonstrate our paternal benevolence, we add the Papal Blessing with a Plenary Indulgence, which we grant with full authority to be solemnly distributed to the people on the

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same day by the venerable Bishop of Cordoba.

May this small gift of ours be so well received by St. Nicholas, that it may procure for us and for our followers, and especially for you, the most abundant blessings! May the apostolic blessing, a witness to our benevolence towards you, be imparted with a willing heart to you, venerable Brother, and to your diocese, to the clergy and to the people.

Given at Rome, near St. Peter's, on the tenth day of December, in the year 1913, in the eleventh year of Our Pontificate.

PIUS PP. X.

[*Latin ed. p. 8*]

8 Acta Apostolicae Sedis. - Official Commentary of the Sacred Congregation Consistorial. DECREE. THE SPECIAL INTERDICT IMPOSED UPON THE CITY OF GALATINA IS REVOKED. The numerous and repeated demonstrations of sorrow for the penalty inflicted upon this city of Galatina, and the expressions of obedience and reverence which, on this occasion, have come from every order of citizens to the Archbishop of Otranto, in reparation for the offense suffered, have inclined the Supreme Pontiff to a benign sentiment of forgiveness. Therefore, judging that the time has come to grant the requests of so many religious and good souls of Galatina, and the prayers of the Pastor of this diocese, by the present Decree of the Sacred Consistorial Congregation, the Holy Father establishes the following: 1° Next Sunday, the 18th of the current month, the interdict imposed upon the city and its surrounding territory of Galatina shall cease; so that from dawn onwards, the priests may celebrate the Holy Mass, distribute the Holy Sacraments, and perform the customary sacred functions. 2° He orders that on the same Sunday, at the appropriate time, both in the collegiate church and in the two subsidiary churches and chapels of the religious communities, as an act of solemn reparation, the Blessed Sacrament shall be exposed, accompanied by the recitation of the litanies of the Saints, the psalm *Miserere*, and the customary responses and prayers that follow the litanies themselves. 3° Considering that, among other things, a defective arrangement of the care of parishes has contributed to this evil, the same Holiness, of his own accord and in the fullness of His apostolic power, derogating, if and in so far as it should be necessary, from any statutes, customs, privileges, or rights that may exist to the contrary, with a view to the supreme good of the salvation of souls, prescribes and establishes from this time forward that the city of Galatina shall be divided into three parishes, under the conditions and in the manner that will be indicated in separate letters to the Most Reverend Archbishop, and which will make the spiritual assistance of the faithful more easy and effective. The Supreme Pontiff trusts that from this

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great evil, the Lord, in His mercy, may draw a precious good, namely, an increase for all of faith and piety, a more perfect observance of the Christian life, and a virtuous concord of minds.

[*Latin ed. p. 9*]

The Most Holy Congregation Consistorial grants to the clergy and the people of Galatina, under the auspices of divine graces, the Apostolic Benediction, with this hope and with this wish. Given in Rome, by the Sacred Congregation Consistorial, on the 12th of January, 1914.

f G. CARD. D E LAI, Bishop of Sabina, Secretary.

L. ffi S. S. Tecchi, Assessor.

SACRED CONGREGATION OF THE COUNCIL OF BURGOS.

CONCERNING THE MISSES FOR THE PEOPLE AND THE CHORAL SERVICE.

Regarding the transfer of feast days, according to the decree "Supremi Disciplinae" of July 2nd, 1911, the Sacred Congregation of the Council inquired:

1) Whether, when a suppressed feast day falls on a Sunday, or is impeded by a feast of greater rank, those who are responsible for the care of souls are obligated to offer a Mass for the people on the day to which the same feast is transferred?

2) Whether, when a feast day is transferred, with regard to the office and the Mass, as if to its proper place, to another day, in churches in which choral service is performed alternately each week, the obligation of the choir, and the distributions, if any, for that feast, are also transferred to the same day?

And in the plenary meetings, on the 1st and 13th of December, 1913, the Most Reverend Fathers judged that the following should be answered:

To the first question: No.

To the second question: No, unless, with regard to the distributions, the express will of the founders, a particular statute, or a legitimate custom, prevents it.

These matters having been presented to His Most Holy Lord Pope Pius X, during an audience held by the undersigned Secretary of this Sacred Congregation, on the 15th of the same month and year.

His Holiness approved the judgment of the Most Reverend Fathers in all things.

C. CARD. GENNARI, Prefect.

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L.©S. O. Giorgi, Secretary.

[*Latin ed. p. 10*]

10. Acts of the Apostolic See. – Official Commentary of the Holy Congregation for the Propagation of the Faith. APPOINTMENT OF A BISHOP. By an Apostolic Brief, he was appointed: December 19, 1913. – The Reverend Father John Maria Barthe, titular Bishop of the Church of Paralaia, appointed as Auxiliary Bishop of Trichinopolis. ADDITIONS AND CHANGES TO THE ROMAN MARTYROLOGY. Among the eulogies of the movable feasts, which are inscribed under the title "Rubrics of the Martyrology," the following changes are to be made: 1. Before the eulogy of the Feast of the Most Holy Name of Jesus, the following should be placed: On the Saturday before Sunday, which may occur from January 2nd to 5th inclusive, and, if that day is lacking, on January 1st. 2. Before the eulogy of the Solemnity of Saint Joseph, etc., the following should be placed: On the third day of the week before the third Sunday after Easter. 3. Before the eulogy of the Octave of the Solemnity of Saint Joseph, etc., the following should be placed: On the third day of the week before the fourth Sunday after Easter. 4. The following should be inscribed after the fourth day of the week after the Octave of Pentecost: The Feast of the Most Holy Body of Christ. 5. Then, the following should be placed: On the fourth day of the week within the Octave of the Most Holy Body of Christ. The Octave of the Most Holy Body of Christ. 6. Before the eulogy of the Feast of the Most Sacred Heart of Jesus, the following should be placed: On the fifth day of the week within the Octave of the Most Holy Body of Christ. 7. All the eulogies from the sixth day of the week after the third Sunday of June until the end of the title are to be suppressed. * ** In the title "Proper Readings of the Time," the following changes are to be made: 1. The third reading is to be inscribed as follows: On the day of the Nativity of the Lord and throughout the Octave, Reading.

[*Latin ed. p. 11*]

Sacred Congregation of Rites, 11, 2. The following reading shall be inscribed: On the Feast of Saint Stephen, the Protomartyr, and on the day of the Octave, a Reading.

3. The following reading shall be inscribed: On the Feast of Saint John the Evangelist, and on the day of the Octave, a Reading.

4. The following reading shall be inscribed: On the Feast of the Holy Innocents, and on the day of the Octave, a Reading.

5. The following reading shall be inscribed: On Sunday within the Octave of the Nativity of the Lord, and on the Vigil of the Epiphany, a Reading.

6. The eighth reading shall be suppressed, and in its place shall be placed, with its rubric, the Reading from the Feast of the Most Holy Name of Jesus, which is now placed third among the proper Readings for Feasts through-

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out the year.

7. The last two Readings shall be inscribed as follows: On the Feast of the Most Holy Body of Christ, and throughout the Octave, a Reading. On Sunday within the Octave of the Most Holy Body of Christ, a Reading.

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In the title, "Proper Readings for Feasts throughout the Year," the following changes shall be made:

1. The third Reading shall be suppressed.

2. For the inscription, "In Commemoratione solemni sancti Joseph, Sponsi beatae Mariae Virginis, Lectio," the following shall be substituted: "In Festo sancti Joseph, Sponsi beatae Mariae Virginis, Lectio."

3. For the inscription, "In Festo sancti Laurentii et per Octavam, Lectio," the following shall be substituted: "In Festo sancti Laurentii et in die Octava, Lectio."

4. For the inscription, "In Solemnitate sanctissimi Rosarii beatae Mariae Virginis, Lectio," the following shall be substituted: "In Festo sanctissimi Rosarii beatae Mariae Virginis, Lectio."

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In the body of the Martyrology, the following changes shall be made:

1. On January 19th, the eulogy of Saint Canute shall be placed second, with the word "Item" preceding it.

2. On March 19th, the following shall be placed first: "In Judaea, the Nativity of Saint Joseph, Spouse of the Blessed Virgin Mary, Confessor."

3. On March 20th, in the eulogy of Saint Joachim, the following shall be added: "whose feast is celebrated on the seventeenth day before the Kalends of September."

4. On June 23rd, the following shall be placed first: "Vigil of Saint John the Baptist."

[*Latin ed. p. 12*]

Acts of the Apostolic See. - Official Commentary.

5. On June 24th: In the eulogy of Saint John the Baptist, the words "whose feast, etc.," up to the end, are to be omitted.

6. On July 1st: In the first place, insert: "The Octave of Saint John the Baptist." In the second place, insert: "The Feast of the Precious Blood of Our Lord Jesus Christ."

7. On August 15th: In the eulogy of Saint Hyacinth, the last words are to be printed as follows: "...and his feast is celebrated on the sixteenth day before the Kalends of September."

8. On August 16th: In the first place, insert: "Of Saint Joachim, Father of the most blessed Virgin Mary, the Mother of God, whose nativity is observed on the thirteenth day before the Kalends of April. Then, the eulogy

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of Saint Hyacinth is to be omitted.

9. On August 17th: In the second place, insert: "Of Saint Hyacinth, Confessor of the Order of Preachers, who fell asleep in the Lord on the eighteenth day before the Kalends of September."

10. On August 23rd: The heading: "At Rome and in some places, etc.," is to be omitted.

11. On August 24th: The heading: "At Rome and in some places, etc.," together with the following indication "at Bisceglie," is to be omitted.

12. On August 25th: The heading: "At Rome and in some places, etc.," is to be omitted.

13. On September 15th: In the second place, insert: "The Feast of the Seven Sorrows of the most blessed Virgin Mary."

14. On October 7th: In the first place, insert: "The Feast of the Most Holy Rosary of the blessed Virgin Mary, and the commemoration of Saint Mary of Victory, which the Most Holy Pope Pius V instituted to be celebrated annually on this day, in memory of the notable victory obtained by the Christians in a naval battle, with the help of the same Mother of God, against the Turks. And the penultimate eulogy, which begins: "On the same day, etc.," is to be omitted.

DECREE.

Our most holy Lord, Pope Pius X, having been informed by the undersigned Cardinal, Prefect of the Sacred Congregation of Rites, has deigned to approve the additions and modifications mentioned above, and to have them inserted in their proper places in the new editions of the Roman Martyrology, by His supreme authority, contrary to nothing whatsoever.

November 26, 1913.

Fr. S. CARD. MARTINELLI, Prefect.

Petrus La Fontaine, Bishop of Chariest, Secretary.

[*Latin ed. p. 13*]

The Sacred Roman Rota, in the year 1913, heard the following cases under seal, and the definitive judgment is published only in part, in the following manner:

I. MINIATBN. – Nullity of Marriage. The following question was proposed: Whether there exists a cause for the nullity of a marriage, in the case before us. The Reverend Fathers, Doctors, F. Cattani, Ponens, A. Perathoner, and I. Alberti, Auditors of Tournon, on the 8th of January, judged that the answer should be: Affirmative. An appeal was lodged against this judgment, and a judgment was rendered on the 22nd of December of this year.

II. – Property. The following questions were proposed: 1) Whether the house N. should be considered a true and proper foundation, and whether it is independent of the Community in this case; 2) To whom belongs the

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ownership of the buildings and the adjacent land where the Benedictine Sisters reside in this case. The Reverend Fathers, Doctors, M. Lega, Decanus, Ponens, A. Perathoner, and P. Rossetti, Auditors of Tournon, on the 6th of February, judged that the answers should be: To the first question: The house N. is a true and proper foundation, and it has the right to have its independence determined by the competent authority, according to the laws and constitutions. To the second question: The ownership of the buildings and of any part of the adjacent land belongs to the Benedictine Sisters, for the purpose of providing for the maintenance of the buildings, according to the law, so that an annual canon shall be paid, as explained in the judgment. The determination of the part of the adjacent land to be attributed to the house, and the amount of the annual canon, will be decided in a separate judicial proceeding.

III. PAMPILONEN. – Parochial Jurisdiction. The following question was proposed: Whether the judgment of the Rota of the 14th of May, 1912, should be confirmed or annulled in this case. The Reverend Fathers, Doctors, A. Sincero, Ponens, I. Mori, and F. Cattani, Auditors of Tournon, on the 11th of February, judged that the answers should be: To the first part, negatively. To the second part, affirmatively, that is, the judgment of the Rota should be annulled. An appeal was lodged against this judgment.

[*Latin ed. p. 14*]

Acta Apostolicae Sedis. - Official Commentary. January 14th. - Nullity of marriage. Regarding the proposed question: Whether it is established that the marriage is null in the case, the Most Reverend Fathers, Doctors, M. Lega, Dean, Ponens, G. Sebastiani and I. Alberti, Auditors of Tournon, on February 18th, judged that the answer should be: Affirmative. Credited. V. Milan. - Regarding the proposed question: Whether NN. must pay to the Lord B. ten thousand livres with interest, and also satisfy the amount still owed to the creditors regarding the management of the Oratory in the case, the Most Reverend Fathers, Doctors, I. Mori, Ponens, F. Cattani and A. Perathoner, Auditors of Tournon, on February 20th, judged that the answer should be: Negative. An appeal was lodged against the judgment. V. Dünen, and Connor. - Defamation. Regarding the proposed questions: 1) Whether the sentence or decree of September 12, 1911, in which NN. is condemned to pay expenses for the compensation of witnesses, after the aforementioned P. has been absolved of the crimes imputed to him in the case, is null; 2) Whether the condemnation of NN. himself to pay said expenses in the case is valid; 3) Whether the decree of suspension issued against the aforementioned NN. on September 12, 1911, in the case, is valid; the Most Reverend Fathers, Doctors, M. Lega, Dean, Ponens, I. Alberti and P. Rossetti, Auditors of Tournon, on March 8th, judged that the answers should be: To the first, Negative; to the second, Affirmative; to the third, Affirmative. An appeal was lodged against the judgment, and it was

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admitted regarding only the third question. VII. Marseilles. - Nullity of marriage. - Regarding the proposed question: Whether it is established that the marriage is null in the case; the Most Reverend Fathers, Doctors, T. Prior, Ponens, A. Sincero and I. Mori, Auditors of Tournon, on March 8th, judged that the answer should be: Affirmative. VIII. Warsaw. - Separation. - Regarding the proposed questions: 1) Whether there are legitimate grounds for separation in the case; and to what extent affirmative: 2) Whose fault is it that the separation has occurred in the case: the Most Reverend Fathers, Doctors, A. Perathoner, Ponens, I. Alberti and P. Rossetti, on March 17th, judged that the answers should be: To the first question, Affirmative, that is, that there are legitimate grounds for separation for an indefinite period, according to the wife's request; to the second, The fault of the husband. IX. St. Joseph in the United States. - Removal and penalties. - Regarding the proposed questions: 1) Whether the sentence of April 7, 1910, in the case, is null? And to what extent negative; 2) Whether the suspension and other penalties imposed are valid.

[*Latin ed. p. 15*]

At the meeting of the Sacred Congregation of the Holy Office, on the fifteenth of the aforementioned month [presumably May], concerning the case of N.N., the following Reverend Fathers and Doctors, I. Mori, Ponens, F. Cattani, and A. Perathoner, Auditors of Tournon, on the seventeenth of April, gave their opinion as follows: To the first question, "No"; to the second, "It does not appear that the sentence of the seventh of April, 1910, in this case, is null." An appeal was lodged against the sentence.

X. MEDIOBURGEN. - Concerning Intemperance. The following questions were proposed: 1) Does it appear that N.N. was intoxicated, or that he had consumed an excessive amount of alcoholic drink, while celebrating Mass on [date]? 2) Does it appear that Mass is not celebrated on the prescribed days during the week, or that it is rarely celebrated on these days? Does it appear that there are obstacles preventing the faithful from receiving the Sacraments daily, because N.N. does not observe the hours prescribed for the administration of the Holy Eucharist? 3) Does it appear that, after N.N. arrived at the town of Oppido, it became known to many that he was intoxicated due to excessive drinking? 4) Does it appear that, through his life and conduct, he has given scandal to the people, as has often been reported to the Ordinary?

The Reverend Fathers and Doctors, I. Prior, Ponens, A. Sincero, and I. Mori, Auditors of Tournon, on the twenty-fourth of April, gave their opinion as follows: "Affirmatively in all respects." However, the penalty of deprivation should be mitigated in the following manner: The Reverend N.N. must perform spiritual exercises for ten days, at a place and time designated by the Bishop; he shall be appointed by the Ordinary to serve as a coadjutor in some mission of the diocese for two years; upon completion of

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this two-year period, if he has rendered commendable service, he shall be promoted again by the Ordinary to the rectorship of some mission (even of a lower grade than the mission of Oppido, if the Ordinary deems it advisable), when such a mission becomes vacant.

XI. TREVIREN. - Concerning Defamation. The following question was proposed: Whether the sentence of the Tribunal concerning N.N., regarding the rejection of the evidence presented by the Bishop, should be confirmed or reformed in this case.

The Reverend Fathers and Doctors, F. Heiner, Ponens, I. Prior, and A. Sincero, Auditors of Tournon, on the fourteenth of May, gave their opinion as follows: "Negatively to the first part, affirmatively to the second part, that is to say, the sentence of the Tribunal concerning N.N., regarding the rejection of the evidence presented by the Bishop, should be reformed." An appeal was lodged against the sentence, and a judgment was rendered on the twelfth of December, 1913.

XII. MASSILIEN. - Concerning the Nullity of Marriage. The following question was proposed: Does it appear that there is a nullity in the marriage in this case?

The Reverend Fathers and Doctors, M. Lega, Decanus, I. Mori, and F. Cattani, Ponens, Auditors of Tournon, on the twenty-sixth of May, gave their opinion as follows: "Negatively."

[*Latin ed. p. 16*]

The provided text does not contain any quotations of Matthew 7:2. Therefore, no changes are required.

16. Acta Apostolicae Sedis. - Official Commentary XIII. TOURNON. Solutions. - A doubtful matter was proposed: Whether the Reverend pastors of the town of X are obligated to restore the endowment of the pious foundations, and to what extent, in this case. The Reverend Fathers, Doctors, S. Many, Ponens, F. Heiner, and I. Prior, Auditors of Tournon, on May 27th, decided that the Reverend pastors are obligated to restore the entire endowment of the pious works of the parish of X; however, they are absolved from the obligation to repay the debt that they would otherwise have to pay for past years, concerning the amount still to be restored.

17. PLATIEN. - Nullity of marriage. A doubtful matter was proposed: Whether there exists a nullity of marriage in this case. The Reverend Fathers, Doctors, I. Mori, Ponens, F. Cattani, and A. Perathoner, Auditors of Tournon, on June 5th, decided that there does exist a nullity of marriage in this case.

18. MONTISVIDEI. - Rights in a pious cause. A doubtful matter was proposed: What rights and under what title belong to the Congregation NN, or to the administrator Riho, in the property X, in this case. The Reverend Fathers, Doctors, A. Perathoner, Ponens, I. Alberti, and P. Rossetti,

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Auditors of Tournon, on June 14th, decided: 1) NN. do not have ownership of the property X, but rather a bare administration for a pious cause, according to the agreement; 2) The Archbishop has the fullest right to oversee and demand accounts of the administration, according to the decree of the Council of Trent, canons 8 and 9, session XXII, concerning reforms, and the Constitution *Conditae a Christo*, canon 11, number 9.

19. MEDIOBÜRGEN. - Nullity of marriage. A doubtful matter was proposed: Whether there exists a nullity of marriage in this case. The Reverend Fathers, Doctors, I. Prior, Ponens, A. Sincero, and I. Mori, Auditors of Tournon, on July 2nd, decided: Negatively, that there does not exist a nullity of marriage in this case.

20. JANUEN. - Regarding the revocation and rectification of damages. A doubtful matter was proposed: Whether the Royal sentence of February 1st, 1912, or rather, the Royal sentence of August 13th, 1912, should be confirmed or rejected in this case. The Reverend Fathers, Doctors, M. Lega, Dean, Ponens, G. Sebastianeiii, and P. Rossetti, Auditors of Tournon, on July 14th, decided: After rejecting the objections or exceptions incidentally raised, and after rejecting any prejudicial petition, the sentence of February 1st, 1912, is to be rejected, and the sentence of August 13th, 1912, is to be confirmed.

[*Latin ed. p. 17*]

S. Romana Rota, XVIII Leonen. 17. Concerning the Nullity of Marriage. – A doubtful case was proposed: Whether the nullity of a marriage is established in the case of MONTIS REGALIS. The Reverend Fathers, Doctors, and Assessors A. Perathoner, Ponens, I. Alberti, and P. Rossetti, of Tournon, on July 19th, decided that the answer should be: Affirmative, that is, the nullity of the marriage is established in the case of MONTIS REGALIS.

– Damages. A doubtful case was proposed: Whether the parish priest NN. and the Order are obligated to compensate for damages resulting from a marriage celebrated by the Reverend PP. with the Lady 00. before the same parish priest NN., notwithstanding the Botal sentence in the case? The Reverend Fathers, Doctors, and Assessors A. Sincero, Ponens, I. Mori, and F. Cattani, of Tournon, on July 26th, decided that the answer should be: Affirmative, that is, the parish priest NN. and the Order are obligated to compensate for damages resulting from a marriage celebrated by the Reverend PP. with the Lady 00. before the same parish priest NN., notwithstanding the Botal sentence. An appeal was lodged against the decision.

XIX. AGRIGENTINA, XX. LYGIEN. Impediments and Damages. – A doubtful case was proposed: Whether an impediment exists and whether there is a basis for compensation in the case. The Reverend Fathers, Doctors, and Assessors A. Sincero, Ponens, I. Mori, and F. Cattani, of Tournon, on August 1st, decided that the answer should be: Negative. An appeal was lodged against the decision before the Sacred Congregation.

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XXI. BITURICEN. – Concerning the Nullity of Marriage. A doubtful case was proposed: Whether the Botal sentence of May 23, 1912, should be confirmed or rejected in the case. The Reverend Fathers, Doctors, and Assessors M. Lega, Decanus, Ponens, G. Sebastianeiii, and P. Rossetti, of Tournon, on August 1st, decided that the answer should be: The Rotal sentence should be confirmed. An appeal was lodged against the decision.

XXII. IMOLEN. – Concerning the Nullity of Marriage. A doubtful case was proposed: Whether the nullity of a marriage is established in the case. The Reverend Fathers, Doctors, and Assessors A. Perathoner, Ponens, I. Alberti, and P. Rossetti, of Tournon, on August 2nd, decided that the answer should be: Affirmative, that is, the nullity of the marriage is established in the case.

XXIII. CEPHALUDEN. – Concerning Pensions. A doubtful case was proposed: 1) Whether the plaintiff NN. has a right to a pension, and in what measure, which was actually reserved for him by the same NN., as stated in the decree of the Sacred Congregation in the case; 2) Whether, notwithstanding the decree of acceptance of the renunciation, NN. together with XX. is obligated to pay, according to the title or ACTA, volume VI, number 1, 19-1-914.

[*Latin ed. p. 18*]

18. Acta Apostolicae Sedis. - Official Commentary regarding the restitution or rectification of damages, in the case of the Most Reverend and Reverend Fathers, M. Lega, Dean, Ponens, A. Perathoner and I. Alberti, Auditors from Tournon, on August 5th, it was deemed appropriate to respond as follows: Regarding the first question, "No, a pension is not due"; regarding the second question, "It is not sufficiently established whether the right to recover a certain sum exists against the defendants."

XXIV. ROMANA, or SALERNITANA. - Regarding the rectification of damages. The following questions were proposed: 1) Whether the incidental decree of the Rota is applicable in this case; 2) To what extent, regarding the first question, should the decree of the Rota in the same case be confirmed or rejected; and to what extent, regarding the first question, does the nullity of the aforementioned decree follow; 3) Whether it is established by law, etc.; The Most Reverend and Reverend Fathers, S. Many, Ponens, I. Prior, and F. Heiner, Auditors from Tournon, on August 5th, deemed it appropriate to respond as follows: Regarding the first question, "Affirmative"; regarding the second question, "Affirmative in the first part, negative in the second part, that is, the decree of the Rota should be confirmed with respect to the third provision mentioned above."

XXV. STANISLAOPOLITANA. - Regarding the deprivation of a parish and spiritual exercises. The following questions were proposed: 1) Whether the nullity of both sentences exists in this case; 2) Whether the canonical causes for the statutory penalties in the first and second

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instances exist in this case; 3) Whether and to what extent does the right to the rectification of damages belong to the priest NN. in this case; The Most Reverend and Reverend Fathers, M. Lega, Dean, Ponens, F. Cattani, and P. Rossetti, Auditors from Tournon, on August 7th, deemed it appropriate to respond as follows: Regarding the first question, "Negative"; regarding the second question, "It is established that the crime of concubinage exists, according to C. T., session 21, chapter 6, de Ref., and session 25, chapter 14, de Ref., and therefore NN. is condemned to the deprivation of the parish, according to the manner declared in the decision"; regarding the third question, "Negative, or the provision mentioned in II."

XXVI. MASSILIEN. - Regarding the nullity of marriage. The following question was proposed: Whether the nullity of the marriage exists in this case; The Most Reverend and Reverend Fathers, S. Many, Ponens, F. Heiner, and I. Prior, Auditors from Tournon, on August 11th, deemed it appropriate to respond as follows: "Negative, that is, it is not established that the nullity of the marriage exists in this case."

XXVII. TREVIREN. - Regarding the nullity of marriage. The following question was proposed: Whether the nullity of the marriage exists in this case; The Most Reverend and Reverend Fathers, S. Many, Ponens, F. Heiner, and I. Prior, Auditors from Tournon, on August 16th, deemed it appropriate to respond as follows: "Affirmative."

[*Latin ed. p. 19*]

S. Romana Rota, 19 XXVIII. TREVIRBN. - Defamation. Regarding a doubtful matter: Whether the Rotal sentence of May 1st, 1913, should be confirmed or rejected in the case, the Reverend Fathers, Doctors, M. Lega, Dean, Ponens, G. Sebastianeiii and S. Many, Auditors of Turno, on December 12th, judged that the sentence should be confirmed, and so it was decreed. XXIX. CHAMBER OF NULLITIES. - Nullity of marriage. Regarding a doubtful matter: Whether the nullity of a marriage is established in the case, the Reverend Fathers, Doctors, F. Cattani, Ponens, A. Perathoner and I. Alberti, on December 18th, judged; Affirmative. XXX. CHAMBER OF NULLITIES. - Nullity of marriage. Regarding a doubtful matter: Whether the Rotal sentence of January 8th, 1913, should be confirmed or rejected in the case, the Reverend Fathers, Doctors, I. Prior, Ponens, A. Sincero and I. Mori, judged that the Rotal sentence should be confirmed. From the Chancery of the S. R. Rota, on January 15th, 1914. L. >B S. Sac. Tancredes Tani, Notary. APPOSTOLIC SIGNATURE, SEGUSINA. SENTENCE REGARDING JURISDICTION OR NULLITY, ROTAL. DECREE. In the ordinary meeting or congress held on December 1st, 1913, between the Eminences and the Rome Fathers, P. D. Vincent, Cardinal Vannutelli, Prefect of this Tribunal, and the undersigned Secretary, the following matter was proposed: Whether a recourse should be admitted or not to the plenary session of the Eminences, interposed

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by the Reverend Father Peter Viglione, rector of the venerable church commonly called "dei Suffragio," in the city of Segusina, against the Rotal sentence issued on July 12th, 1913, by which it was definitively decreed that a legitimate custom existed, by which the singing of foreign hymns in non-parochial churches is prohibited without the permission of the parish priest, both in the city and in the diocese of Segusina, in the aforementioned case; so that the aforementioned Rotal sentence should be declared null, since, when such a cause is presented...

[*Latin ed. p. 20*]

Acts of the Apostolic See. – An official commentary would have been required regarding the proceedings of the Sacred Roman Tribunal after the judgment of the Supreme Tribunal of the Apostolic Signatura concerning the restoration to its former state, according to canon 41 of the Proper Law, but it should have been pronounced "in the presence of all Auditors," not by "the next in turn," but "having heard all the Auditors." Indeed, in canon 41 of the Proper Law, where it is a matter of an appeal for restoration to its former state against a Roman judgment that has become final, it is expressly stated that, once restoration to its former state has been granted by the Apostolic Signatura, the matter should return to the Sacred Roman Tribunal, which will judge "in the presence of all." Conversely, in the case in question, after the response of the Supreme Tribunal, by which restoration to its former state was granted, the Judges of the Sacred Roman Tribunal did not deliberate collegially, but, in fact, for the third time, the matter was assigned to a Turn, and only three Auditors were appointed to judge. What unintentional offense to the Law caused this is not here to be inquired into. One thing must be frankly admitted: an exception, namely against the judging Tribunal, undoubtedly arose. However, it remains to be seen what legal force should be attributed to this exception. Furthermore, both from general principles of law and from Article 6 of the Regulations of this Supreme Tribunal, it is easily recognized that exceptions concerning the judging Tribunal do not have effect unless they are presented at the beginning of the proceedings; but to present them late and uselessly, when the parties have already conducted their case before the Tribunal and have presented their defenses before it, is not permitted. For then, by their own actions, they have shown that they voluntarily accepted the constitution of the Tribunal, and thus they have forfeited the right to raise any complaint on this ground. This is all the more urgent against the party that, as in this case, only remembered to raise an exception of this kind when it received a judgment adverse to it from the Tribunal. Therefore, we are in a situation where, if the exception in question had been raised at the appropriate time, it would undoubtedly have had an effect, according to the provision of Article 6 cited above; but, on the contrary, since the party only thought to raise it after the adverse judgment was rendered, by presenting a re-

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course, that party no longer has any right. Both parties, in this case, having voluntarily conducted their case before the Turn, should be considered to have renounced that solemn constitution of the Tribunal, which, to their advantage, is found written in canon 41 of the Proper Law, without any sanction of nullity. After considering all of this, the recourse was rejected, since it did not affect the judgment itself and the exception raised against the constitution of the Tribunal was presented late.

[*Latin ed. p. 21*]

Apostolic Signature 21. Therefore, the Most Reverend and Most Eminent Cardinal Vincent Vannutelli, Prefect of this Supreme Apostolic Tribunal, has decreed as follows, as was noted and concluded in the aforementioned Congress; and consequently, he ordered that this decree, by which the appeal in this case, being utterly devoid of a valid legal basis, is rejected from the outset, according to canon 40 of the Proper Law, be drawn up and issued, with all the formalities and seals that are, by law, required, and in accordance with the norms of the Proper Law. Given in Rome, from the offices of the Holy See, on the 9th day of December, 1913. L. Eg S. Nicholas Marini, of the Secretariat. Josephus adv. Fornari, Secretary.

A. LETTER. TO THE MOST ILLUSTRIOUS MISTER JOSEPH DALLA TORRE, COUNT, CONCERNING THE SOCIETY COMMONLY CALLED "UNIONE POPOLARE FRA I CATTOLICI D'ITALIA."

To the Most Illustrious Count,

I have received the moral and financial report of the "Unione Popolare" for the years 1912-1913, and I have not failed to bring it to the attention of the Holy Father, Pope Pius X.

The august Pontiff was very pleased to note the progressive growth of the Union, which, without a doubt, is due to the tireless and enlightened work of its new President, to whom, along with the apostolic blessing, I send, through me, the wish that, through the ever-increasing favor of the bishops and pastors, his work, inspired by pontifical norms, may contribute to infusing the Union itself with ever greater vitality, and to forming that great center of well-directed and fruitful Catholic action, which is the common desire of all.

With sentiments of the highest esteem, I take pleasure in reaffirming myself.

Yours,

R. CARD. MERRY DEL VAL.

Rome, November 30, 1913.

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I am yours to serve.

[*Latin ed. p. 22*]

Acts of the Apostolic See. - Official Commentary of the DIARY of the Roman Curia, Secretariat of State. BY ORDER OF. With the tickets of the Secretariat of State, the Holy Father deigned to appoint:

January 1, 1914. - The Most Reverend Cardinal Ludovico Billot, Protector of the Congregation of the Bernardine Sisters of Esquermes of Ollignies, in the diocese of Tournai, and of the Sisters of the Holy Family.

January 2. - The Most Reverend Cardinal Domenico Ferrata, Secretary of the Most Holy Supreme Congregation of the Holy Office. - The Most Reverend Cardinals Giovanni Battista Lugari and Ludovico Billot, Members of the same Most Holy Supreme Congregation. - The Most Reverend Cardinal Gaetano Bisleti, Grand Prior of the Sovereign Order of Malta.

January 3. - The Most Reverend Cardinal Francesco di Paola Cassetta, Librarian of the Holy Roman Church.

January 5. - The Most Reverend Cardinal Serafino Vannutelli, Protector of the Venerable College of Capranica.

January 9. - The Most Reverend Cardinal Pietro Gasparri, Protector of the Congregation of the Salesians of the Venerable Don Bosco and of the Institute of the Daughters of Mary Help of Christians.

January 12. - The Most Reverend Cardinal Raffaele Merry del Val, Archpriest of the patriarchal Basilica of the Vatican and Prefect of the Sacred Congregation for the Fabric of St. Peter's.

January 13. - The Most Reverend Cardinal Guglielmo van Rossum, President of the Pontifical Commission for Biblical Studies. - The Most Reverend Cardinal Benedetto Lorenzelli, Member of the same Pontifical Commission. - The Most Reverend Cardinal Gaetano Bisleti, Protector of the Italian Association of Saint Cecily and of the Higher School of Sacred Music in Rome.

[*Latin ed. p. 23*]

From the Roman Curial Diary:

By Apostolic Briefs, the Holy Father has deigned to appoint:

Assistants to the Papal See:

December 4, 1913. — Mons. Giovanni Battista Castro, Archbishop of Caracas.

December 10. — Mons. Giuseppe Raimondo Ibarra y Gonzalez, Archbishop of Puebla de los Angeles.

Apostolic Protonotaries, as if participating:

December 2, 1913. — Mons. Francesco Martino Schindler, Episcopal and aulic counselor, of the Archdiocese of Vienne.

December 17. — Mons. Giuseppe Cignetti, archpriest of the cathedral

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and general vicar of the diocese of Ivrea.

December 20. — Mons. Leopoldo Bufalini, archdeacon of the metropolitan church of Siena.

December 20. — Mons. Professor Enrico Salvadori, of Rome.

Domestic Prelates of His Holiness:

December 2, 1913. — Mons. Professor Giuseppe Pohle and Mons. Archdeacon Edoardo Rimmel, of the diocese of Breslau.

December 5. — Mons. Sante Tampieri, under-secretary of the Holy Congregation for Extraordinary Ecclesiastical Affairs.

December 6. — Mons. Clemente Rolando, archdeacon of the cathedral of Albenga, and Mons. Giacomo Durante, archpriest and pastor of the same cathedral.

December 6. — Mons. Giorgio Kummer, of the Apostolic Vicariate of Saxony.

December 16. — Mons. Giuseppe Broadhead, of the diocese of Hexham.

December 16. — Mons. Professor Giorgio Peli, of the diocese of Passau.

December 17. — Mons. Domenico, canon Colacchio, general vicar of the diocese of Boiano.

December 20. — Mons. Giovanni Battista Clerico, archdeacon of the cathedral of Ivrea.

December 20. — Mons. Giuseppe Pozsgay, canon of the cathedral of Cinque Chiese.

HONORS.

By Apostolic Briefs, the Holy Father has deigned to bestow the following honors:

The Grand Cross of the Order of Saint Gregory the Great, civil class:

December 6, 1913. — To Mr. Commendatore Carlo Jacquier, of the Archdiocese of Lione.

The Commander's Cross of the Order of Saint Gregory the Great, civil class:

December 3, 1913. — To Mr. Cavaliere Paolo Delemer, of the diocese of Lilla.

December 6. — To Mr. Alessandro Poidebard, of the same Archdiocese.

December 6. — To Mr. Cavaliere Augusto Rivet, of the same Archdiocese.

[*Latin ed. p. 24*]

Acts of the Apostolic See. - Official Commentary, December 11, 1913. — To Mr. Ladislao Martino Wrabec, of Leopoli. December 19. — To Mr. Vittorio Taunay, president of the Christian Publishers' Corporation in Paris, and to Mr. Francesco Veuillot, secretary of the same. December 21. — To Mr. Dr. Ermanno de Schlechtendal, of the archdiocese of Colonia. — To

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Mr. Professor Ermanno Board, of the archdiocese of Colonia. The Order of St. Gregory the Great, military class: December 16, 1913. — To Mr. Colonel Giovanni Ferreira de Freitas, of the archdiocese of Marianna. The Order of St. Sylvester, Pope: December 16, 1913. — To Mr. Professor and Lawyer Giuseppe Biroccini, of Rome. — To Mr. Knight and Engineer Ettore Bonoli, of Rome. The Order of St. Gregory the Great, civil class: December 6, 1913. — To the gentlemen Professors Emanuele Voron, Antonio Chassy, Antonio Vignon, Vittore Court, Antonio Debilly-Brossette, and Eugenio Paret, of the archdiocese of Lione. December 7. — To Mr. Giovanni de Viam, residing in the diocese of Bois-le-Duc. December 11. — To Mr. Giacomo Shevlin, of Brooklin. December 12. — To Mr. Antonio Solari, of the archdiocese of Buenos Aires. December 18. — To Mr. Carlo Guglielmo Hamilton, of Omaha (State of the United States of America). December 30. — To Mr. Edoardo Le Guen, of the diocese of Quimper. The Order of St. Sylvester, Pope: December 30, 1913. — To Mr. Andrea Joyault de Couesnongle, of the diocese of Quimper.

NECROLOGY. January 1914. — Bishop Everardo Illigens, titular bishop of Germaniciana. — Bishop Giovanni Antonio Ruano Martin, bishop of Lérida. — Bishop Carlo Mola, titular bishop of Sasima. — Bishop Giovanni Maria Diamare, bishop of Sessa Aurunca. — Bishop Giuseppe Izzo, bishop of Cava and Sarno.

[*Latin ed. p. 25*]

Year V, Volume VI. February 7, 1914, No. 2. ACTA APOSOLICAE SEDIS, OFFICIAL COMMENTARY. ACTS OF POPE PIUS X, BY HIS OWN INITIATIVE. CONCERNING THE ABOLITION OF COMMITTEES ATTACHED TO THE CONGREGATION FOR THE HOLY RITUAL AND CONCERNING THE ESTABLISHMENT OF A NEW ORDER OF CONSULTORS FOR LITURGICAL MATTERS.

PIUS PP. X. Whoever considers the times initiated by Our Predecessors will readily understand how diligently They have always watched over that God might be worshipped and praised in His holy places with due piety, religion, and magnificence; and how the laws enacted for the performance of sacred rites, and finally, the rites of divine worship prescribed according to the diversity of times, might remain intact, or be wisely and piously regulated.

For this purpose, Sixtus V, by the Apostolic Constitution "Immensa," established the Congregation of Sacred Rites, to which he assigned two principal duties: to consider and determine matters pertaining to the sacred rites of the Latin Church, and to oversee those matters relating to the beatification and canonization of Saints. We Ourselves confirmed all of this in Our Constitution "Sapienti consilio."

However, in order that both kinds of business might be carried out more easily, an order of Consultors was established, namely, of prelates and the-

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ologians, who would especially deal with individual causes of beatification and canonization.

[*Latin ed. p. 26*]

The Acts of the Apostolic See – Official Commentary: Certain individuals bore witness to the virtues, martyrdom, and miracles of the Servants of God; and they were appointed as masters of ceremonies, from whom an opinion would be sought regarding matters pertaining to sacred rites and ceremonies. However, when weighty and difficult questions arose concerning the ancient rites and norms of the Church, handed down by the fathers, by which divine services are to be ordered and the sacred assembly maintained, and also concerning the lives of the Saints, the masters of ceremonies proved insufficient for all matters. Therefore, it became necessary to consult men specially skilled in liturgical matters and Christian antiquity. Consequently, three special Commissions were added to the Sacred Congregation of Rites, namely, the liturgical, the historical-liturgical, and the one for the sacred assembly – of which we have already mentioned in the aforementioned Constitution – which, however, were to serve as external instruments for investigating the truth, and not as members of the Congregation itself; and those who participated in these Commissions were never included in the number of consultants. Although this arrangement for the Commissions was maintained for a time, the integrity of the Congregation now demands that they be fundamentally changed, and that they be directed towards strengthening and improving the Congregation. Therefore, after consulting with several Cardinals of the Holy Roman Church, it was deemed necessary to decree certain things, which we now establish and command through this Motu Proprio. The Consultants of the Congregation of Sacred Rites shall be divided into two classes or sections: one to provide opinions in causes of beatification and canonization, and the other for matters pertaining to the liturgy and to the relics of the Saints in any way whatsoever. But nothing prevents the same person from being counted in both sections. The Cardinal Prefect shall propose to Us those who are to be appointed to the office of Consultant, who, not only possess a life of honesty, but are also instructed in such knowledge that they appear suitable to give sound opinions on the matters entrusted to them. Therefore, those who are to be assigned to the first section shall be men of doctrine, integrity, and advanced age.

[*Latin ed. p. 27*]

The Acts of Pope Pius X, number 27, concern a matter of the greatest importance, in which utmost caution and great deliberation must be exercised. Those who will be included in the second section must, above all, possess knowledge of liturgy, and then of related subjects, such as history, hagiography, ecclesiastical chant, and other similar disciplines. Since it is

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very difficult to find many who excel in all of these areas, care must be taken to ensure that at least some are truly outstanding in one or more of the disciplines related to liturgy. Therefore, while on the one hand we desire that all those who are currently counted as Consultors continue in the same office and remain assigned to the first section, on the other hand, we suppress and declare completely suppressed all and each of the Commissions that have hitherto been attached to the Congregation of Sacred Rites, by this Our Motu Proprio. We give the following mandate to Our beloved Son, the Cardinal Prefect of this Holy Congregation: that he, as soon as possible, propose to Us men who, according to Our prescriptions, can be appointed by Us to the office of Consultors in the second section. We wish and command that this declaration of Our will be religiously observed in all and each future times, without prejudice to any constitutions, apostolic ordinances, privileges, or other contrary provisions, even those deserving of special and individual mention. Given at Rome, at St. Peter's, on the fifteenth day of January, in the eleventh year of Our Pontificate. PIUS PP. X.

[*Latin ed. p. 28*]

28 Acta Apostolicae Sedis - Official Commentary on the LETTER. I. To the Most Reverend Æmilius Siebelink, General Moderator of the Brothers of Our Lady of Mercy, approaching the seventy-fifth anniversary since the founding of the aforementioned Congregation. Beloved Son, greetings and apostolic blessing. — It had long been in Our mind to communicate to you the meaning of Our will, beloved Son. We commend your Congregation to Us, because of the numerous works of Christian charity which it undertakes, especially the institution for young people, which, in this our age, concerns all good men almost everywhere; and also because of the laudable effort which you have made to pursue these endeavors. Having recently received from you news of the approaching seventy-fifth anniversary of the founding of your Congregation, We were reminded of the opportunity to carry out Our plan; and We gladly avail ourselves of this opportunity to sincerely congratulate you on the labors you have performed for the Church and for society, and to earnestly pray for heavenly assistance to support your endeavors in ever greater measure. May the apostolic blessing be upon you, and upon the entire religious family, and especially upon you, beloved Son, in the Lord. Given at Rome, at St. Peter's, on the fifteenth day of January, 1914, in the eleventh year of Our pontificate. PIUS PP. X.

II. To the Most Reverend P. Eugenius Meyer, General Moderator of the Missionaries of the Most Sacred Heart of Jesus, on the fiftieth anniversary of the founding of the aforementioned Sodality of the Most Holy Heart of Jesus. Beloved Son, greetings and apostolic blessing. — Indeed, We are reminded with pleasure of the Sodality of Our Lady, founded by Us in

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Tarvisium, and of the prayer with which We commended it to the people; and We gladly express Our benevolence now, as the years pass since its founding, to the work which has grown and flourished.

[*Latin ed. p. 29*]

The Acts of Pope Pius X, number 29, mention the continued and widespread growth in France and elsewhere, as you report, which is most gratifying. However, we wish these letters to be not only a testament to our benevolence, but also an announcement of a grace granted. Therefore, to you, our beloved son, we gladly grant, in response to your request, a plenary Indulgence, to be gained four times per year, beginning from the twentieth day of this month, and on those days which shall be designated by the General Moderator of the Sodality and by the local Ordinary, to all those who devoutly visit the church dedicated to the Most Holy Heart of Jesus in Exolduni and in Rome, or any other oratory of that Sodality, if any exist. We earnestly desire that these benefits may infuse new vigor and renewed ardor into the Institute, and we implore the help of our most powerful Patroness, and bestow upon you, our beloved son, and also upon the priests who are students of your discipline, our apostolic blessing, which we impart to all who are members of the Sodality, in the Lord. Given in Rome, at St. Peter's, on this twentieth day of January, in the eleventh year of our pontificate. PIUS PP. X. DECREE. A NEW APOSTOLIC PREFECTURE OF LANG SON AND CAO BANG IN TONKIN IS ESTABLISHED. In order that the spiritual fruits, thus far happily attained in the regions of Ton-kin by the students of the Dominican Province of the Most Holy Rosary of the Philippine Islands, may, with God's help, be even more happily increased in the future, it seemed opportune to the Sacred Congregation for the Propagation of the Faith to establish a new Mission there, and to introduce new religious workers from that same Holy Family of St. Dominic, who will also strive to emulate the work of their brethren. Therefore, after mature deliberation on this matter, at a general Congregation held on the fifteenth of Ver-

[*Latin ed. p. 30*]

30 Acta Apostolicae Sedis - The Official Commentary records that, during the aforementioned month, the Most Reverend and Reverend Fathers judged it fitting that the civil provinces of Lang Son and Cao Bang, belonging to the Vicariate Apostolic of Northern Tonkin, and also the so-called delegations of Bao Lac, Quan Ba, and Long Van, pertaining to the civil province of Ha Giang, should be constituted into a Prefecture Apostolic, to be called "of Lang Son and Cao Bang," the spiritual administration of which shall be entrusted to the Fathers of the Dominican Order of the province of Occitania of the Immaculate Conception, or of Lyons. The aforementioned opinion of the Most Reverend Fathers was approved

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and confirmed by Our Most Holy Lord Pope Pius, of blessed memory, in an audience granted on the 22nd day of the same month, to the Reverend Father, Secretary of this Sacred Congregation, and the present Decree concerning this matter was ordered to be issued. Given at Rome, from the offices of this Sacred Congregation of Propaganda Fide, on the 30th of December, in the year of Our Lord 1913. Fr. H. M. CARD. GOTTI, Prefect. L. C. s. Laurenti, Secretary. II. NOMINATIONS. By decrees of the Sacred Congregation of Propaganda Fide, the following were nominated: January 7, 1914. - The Apostolic Prefect of the new Prefecture of Lang Son and Cao Bang, Reverend Father Bertrand Cothonay, of the Order of Preachers. January 21. - The Apostolic Prefect of Ubanghi-Chari, Reverend Father John Renatus Calloch, of the Congregation of the Holy Spirit and of the Immaculate Heart of Mary. III. CESSATION FROM OFFICE. By letters received on January 20, 1911, by the Sacred Congregation of Propaganda Fide, Reverend Father Peter Cotel, of the Congregation of the Holy Spirit and of the Immaculate Heart of Mary, resigned from the office of Apostolic Prefect of Ubanghi-Chari.

[*Latin ed. p. 31*]

Sacred Congregation of the Index 31. SACRED CONGREGATION OF THE INDEX. I. DECREE. Tuesday, January 26, 1914. The Sacred Congregation of the Most Eminent and Reverend Cardinals of the Holy Roman Church, appointed by our most holy Lord Pope Pius X and the Holy Apostolic See to oversee the Index of books of pernicious doctrine, and their proscription and permission throughout the Christian republic, having met in the Apostolic Palace at Vatican on January 26, 1914, condemned and condemns, proscribes and proscribes, and orders that the following works be added to the Index of Prohibited Books: MAURICE MAETERLINCK, Opera omnia. Therefore, no one of any rank or condition may dare to publish, or, having published, to read or retain the aforementioned works, in any place and in any language, under the penalties indicated in the Index of Prohibited Books. These matters having been reported to our most holy Lord Pope Pius X by me, the undersigned Secretary, His Holiness approved the Decree and ordered it to be promulgated. In witness whereof, etc. Given at Rome, January 17, 1914. FR. CARD. DELLA VOLPE, Prefect. L. © S. Thomas Esser, O. P., Secretary. IL Karl Holzhey, Luigi Renzetti, Sebastian Merkle, Stephen Coubé. They have submitted to the decrees of this Sacred Congregation, by which certain of their books have been prohibited and inserted into the Index of Prohibited Books. In witness whereof, etc. Thomas Esser, O. P., Secretary.

[*Latin ed. p. 32*]

Acts of the Apostolic See - Official Commentary 32. THE HOLY CONGREGATION FOR RITES OF BELLUNO. CONCERNING BAPTISM AT

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HOME. Regarding the doubt proposed by the Most Reverend Ordinary of Belluno: "Whether Baptism, granted with the 'licentia' [permission] of the Bishop or Ordinary at home, outside of the danger of death or urgent necessity, must be administered with all the Rites of the Roman Ritual," the Holy Congregation for Rites, after hearing the opinion of the Liturgical Commission, decided that the answer should be: Affirmative. And thus it was written on January 17, 1914. Fr. S. CARD. MARTINELLI, Prefect. L.&S. Petrus La Fontaine, Bishop of Chariest, Secretary. THE HOLY ROMAN ROTA OF SALUZZO. OF JURISPRUDENCE. During the blessed reign of Pope Pius X, in the tenth year of his pontificate, on July 1, 1913, the Most Reverend Fathers, Doctors Seraphinus Many, Ponens, Franciscus Heiner, and Ioannes Prior, Auditors at Tournon, in the case of Saluzzo of Jurisprudence, between the Reverend Chapter of the Cathedral of Saluzzo, represented by the procurator Vincent Sacconi, advocate, and the Reverend Iacobus Conte, archpriest canon, represented by the procurator Reverend Aloysius Lavitrano, advocate, in the stage of appeal, from the same Reverend Chapter against the Royal judgment of September 2, 1911, pronounced the following final judgment. In the year of the Incarnation of the Lord 1483, on the twelfth day before the Kalends of February, Cardinal Dominicus della Rovere, Bishop of Turin, legate of the Apostolic See in Sabaudia and in several other provinces, by virtue of the Bullae.

[*Latin ed. p. 33*]

The Roman Rota, in the case of "Immaculata," the parish church of Santa Maria Salutiis, which was then part of the diocese of Torino [Turin], erected it with Apostolic authority into a collegiate church; which collegiate church, shortly thereafter, namely in the year 1511, was raised to the status of a cathedral. Furthermore, in the "Bulla Per Immaculata," the care of souls was assigned to the Archpriest, which was the fourth rank, and not the principal one; and, after the erection of the collegiate church into a cathedral, it became the third rank. Over the course of the centuries, between the Chapter and the Archpriest, there arose several controversies concerning the care of souls; most recently, in the year 1910, a new dispute arose, which, by virtue of a Pontifical commission, was entrusted to the Most Reverend Officials [H. S. O.] in which, on September 2nd of the year 1911, a judgment was rendered, in which the Most Reverend Doctors [RR. PP. DD.] Auditors responded to five questions proposed, as follows:

1. Whether, and under what limitations, the habitual care of souls pertains to the Chapter, or rather to the Archpriest in this case. R. Negatively to the first part, affirmatively to the second.

2. Whether to the Archpriest, in this case, pertains the actual care of souls, to be exercised exclusively and independently of the Chapter. R. Affirmatively.

3. Whether the Archpriest should be considered the true parish priest,

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and whether he can represent the parish exclusively from the Chapter. R. Affirmatively.

4. Whether and how the administration of the cathedral church pertains to the Chapter, or to the Archpriest in this case. R. Affirmatively to the first part with regard to the functions of the Chapter; affirmatively to the second part with regard to the functions of the parish priest.

5. Whether the Archpriest has the right to reside in the house adjacent to the cathedral church, and to adapt that house for residential use at his own expense, and independently of the Chapter. R. Affirmatively, at least from the standpoint of equity, but subject to the authority of the Ordinary, and with consideration given to any damages that may be caused to the Chapter.

From this judgment, the Chapter appealed to the following Term, and the question was settled in the usual manner, with these words: Whether the judgment of the Rota of September 2nd of the year 1911 should be confirmed or rejected in this case. In order to resolve this question before the court, the five questions previously discussed and resolved in the first instance must be examined anew.

CONCERNING THE FIRST QUESTION. Whether, and under what limitations, the habitual care of souls pertains to the Chapter, or rather to the Archpriest in this case. The Lords responded to this first question as follows: To the first part: Affirmatively, that is, that the habitual care pertains to the Chapter purely and simply; to the second part: Negatively. The habitual care of souls, insofar as it is opposed to actual care, is that which belongs to the principal rector of the parish, who is able to exercise it.

[*Latin ed. p. 34*]

34 Acta Apostolicae Sedis - The official commentary is prepared by the Apostolic See, but it is to be carried out by another, usually appointed by the principal rector. However, after the exercise of pastoral care has ceased, the other parochial rights, such as the administration of the parish revenues, the protection of its boundaries and territory, the governance of the church, etc., remain with the principal rector; cf. Pichler, in tit. De officio vicarii, n. 15. The Royal Decree, entitled "curam habitualem," attributes habitual care to the Archpriest, based solely on the argument that the terms of the church's erection indicate that such care belongs to the Archpriest. The other points discussed in the first question are directed at refuting objections. This single argument is of this nature: In the instrument of erection, without mentioning any care of souls assigned to the Chapter, it is stated that the care of souls pertains to the Archpriest ("to whom the care of souls pertains"): but this formula, "to whom the care of souls pertains," before the Council of Trent, necessarily included the entire care, which is now, after that Council, sometimes divided into habitual and actual care; and the reason is that before the Council of Trent, the

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distinction between habitual and actual care, as now applied in the sense of the decree of that same Council, chapter 7, session 7, concerning the reform of collegiate churches, monasteries, etc., was entirely unknown, not only in name, but also "in the very thing, substance, and concept, or as a legal institution." Thus, the decree states in number 7, "that, in a word, only 'after the Council of Trent, and from its very beginning,' has the 'distinction between habitual and actual care' arisen; 'not only the name and terms, but the very thing, or substance and concept, that is, the legal institution as it is now called,' and it is clear that the care of souls, which is said in the instrument of erection to pertain to the Archpriest, cannot be understood as the care that must be exercised by the Archpriest de facto and de jure as a vicar, whether removable or permanent, 'within the terms of the Council of Trent itself.'" Also, in number 5: "But, 'what is of the greatest importance in our matter,' is that this later and more customary distinction arose only after the Council of Trent." Given this, namely, that it is clearly established from the terms of the erection that habitual care belongs to the Archpriest, an easy path is opened to reject all opposing presumptions, which, if not refuted by stronger evidence and presumptions, at least should yield to demonstrated truth. Thus, in the Royal Decree in number 6: "And unless it is established from the beginning of the erection, one must resort to conjectures, indications, and presumptions." And in number 18: "Therefore, if it is established from the terms of the erection that habitual care belongs to the Chapter, the terms of provision..."

[*Latin ed. p. 35*]

The Roman Rota has stated: "What has been established for the Archpriest should not prejudice the rights of the Chapter, and therefore must be interpreted within the limits of its establishment and according to those limits." However, in our case, the limits of the establishment are contrary to the care of the Chapter; therefore, the words in the edict of establishment, "to whom the care of souls is entrusted," cannot, either from the subject matter or from common law, be understood or should be understood as referring only to actual care. And in paragraph 24: "Indeed, with regard to these and all other signs, or presumptions, presented by the representatives of the Chapter, first, one must not resort to signs, indications, or presumptions, unless it is not known about the origin of the foundation; secondly, presumptions must give way to the truth, which in our case is clearly demonstrated and openly proven, from the edict of establishment, as stated above." Indeed, this entire argument collapses, since the foundation upon which it rests has no basis. The distinction between habitual care and actual care was well known, not merely in name, but in substance and concept, even long before the time of the Council of Trent, as is evident from the very discussion in Pitonius, book 45, which the previous judges cite in their judgment. For he says: "Indeed, John Andrew, in chapter 1,

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on elections, paragraph 6, held the contrary opinion, that the Archpriest is indeed a pastor in actuality, but that in the Chapter, habitual care exists," which Calderin also refers to, cons. 18, n. 1, verse. Hence, they speak of prebends... Oldradus, cons. 6, under number... verse. Therefore, I say, etc." These celebrated commentators on the Decretals, who apply this distinction to collegiate churches, flourished in the fourteenth century, two hundred years before the Council of Trent. Oldradus died in 1335, John Andrew in 1348, and Calderinus, his adopted son, in 1365 (Cf. Hurter, Nomenclatura Literaria). Furthermore, that most celebrated historian of ecclesiastical discipline, Thomassinus, in his work, *Vetus et Nova Ecclesiae Disciplina* (volume 1, book 2, chapter 27), which is praised by even the most esteemed modern writers (Cf. Hurter, *l.c.*, volume 2, page 413 and following), cites several provincial councils held long before the Council of Trent, in which it was ordered that only perpetual vicars should exercise the care of souls, where the head of the church, who held the same title, could not do so by himself, for example, the Council of Avignon, in the year 1326; the Council of Arles, in the year 1260. Therefore, Thomassinus concludes, *l.c.*, n. 6: "There were only perpetual vicars, either in cathedral churches or in other parishes. It was not merely a difference in name, but the thing itself was very different. Perpetual vicars were required to provide a proportionate portion [of support]; but the parish priests received all the tithes and revenues."

[*Latin ed. p. 36*]

36 Acta Apostolicae Sedis – The Official Commentary concludes, book 1, section 9, regarding the discipline in force before the Council of Trent. "From these things, it is clearly evident that it has always been the concern of the Church that parishes and churches, of whatever kind, should not be administered except by either perpetual vicars or irrevocable pastors. By a new decree, Urban III orders that the churches of monasteries be administered by parish priests, chaplains, or vicars, whom the monks should present to the bishop for appointment, but whom they themselves will not be able to dismiss afterwards, this power being reserved to the bishop, who himself will not be able to do so except by canonical judgment" (chapter 1, On Chaplains of Monasteries). Alexander III, in the twelfth century, in book 1 of the Decretals, chapter 3, title 28, On the Office of a Vicar, and Honorius III, in the thirteenth century, in the same place, chapter 6, speak of perpetual vicars in divine matters. Furthermore, it cannot be understood what is meant by a "perpetual vicar in divine matters" unless a distinction is made, at least in substance, between habitual and actual care, or between care and its exercise. Boniface VIII, at the end of the thirteenth century, in the sixth Decretal, title 18, chapter 1, On Chaplains of Monasteries, decrees: "Priests who are appointed by bishops to care for the people through the monks in their churches, and who are instituted by them, must, unless

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otherwise by custom or any statute, not be removed by them from those churches except by the bishops and for a reasonable cause." According to Thomassin, in the aforementioned passage, section 9, and in part III, book II, chapter 20, section 5, the origin of this distinction between habitual and actual care dates back to the ninth century. From all of these things, it is clear that the distinction between habitual and actual care was well-known, at least in substance and in its essence, before the Council of Trent. For these perpetual vicars, of whom the Decretals and Thomassin speak, had the care of souls in parochial, collegiate, or other churches, provided that they held the title of the church, or the fruits of the benefice, which were ceded to others who were the principal rectors of the parochial churches, while the vicars themselves were to be content with a suitable portion. Therefore, the formula "to whom the care of souls pertains," which, according to all, includes the actual care of souls, at the time of the erection of the collegiate church of Saluzzo, did not imply habitual care; for, as has been said, the distinction between the one and the other care was well-known at that time, and the separation of one from the other was very common, even in places near Saluzzo, as we learn from our own Bull, Per Immaculata, near the end, where "parochial churches, or their perpetual vicars" are mentioned. Indeed, the aforementioned formula, in its obvious and proper sense, signified only actual care, and not habitual care, and this also.

[*Latin ed. p. 37*]

The Roman Rota, thirty-seven years before the Council of Trent, as we learn from Barbosa, *De appellativa verborum significatione*, appeal 65: "The actual application of the care of souls precedes the habitual application, as held in the terms of *Capra*, *commun, conclus. 9, n. 78*, and it was said in Vicenza, Prioratus, June 9, 1606, 'before Manzanedo.'" Furthermore, that celebrated canonist, Capra, died in the year 1465. Therefore, given that the principal, indeed the only, foundation of the Most Reverend Archpriest's claim has been overturned, we must now, in order to resolve the question: to whom does the habitual care reside in the Collegiate Church of Saluzzo, turn, as is customary, to presumptions, conjectures, and indications, which in this case clearly indicate that the habitual care belongs to the Chapter.

And first, it must be noted that the common law, or rather, general jurisprudence, in this matter favors the Chapter. When a church is both collegiate and parochial, and this union of collegiality and parochiality originates from whatever source, the habitual care resides in the College or Chapter; this general rule or jurisprudence is attested by Pignatelli, *Consultationes*, vol. IX, cons. 150 and 169; Lotterius, *De re beneficiaria*, book 1, question 14, n. 93 seq.; Reclusius, *De re parochiali*, part i, title 5, n. 26; Pitonius, *Disceptationes eccles.*, discourse 45. Pignatelli, in the aforementioned place, consultation 150, n. 1, states: "Whether in collegiate churches

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that are also under the care of a pastor, the care of souls belongs to the canons and the Chapter, or to the first or some other dignity? It belongs to the canons and the Chapter, in this matter there is no doubt, I declare and judge. The common law assists the Chapter. For the very fact that the church is collegiate, which can also be proven from enunciations, especially those of the Supreme Pontiffs in their writings, such care belongs by right to the Chapter, as seen in Ostiensis, Gabrielis..., Mandosa..., Romanus..., Gonzalez, and Rota dec. 316, n. 1, P. IV, vol. 2. The exercise or administration of this care is not entrusted to a perpetual vicar, or any other dignity. For the Chapter still retains it, according to the opinion of Oldradi, etc." And so also, on several occasions, the Holy Rota, for example, in *Comen. Funerum*, which is read in printed form among Pignatelli, in the aforementioned place, consultation 150, n. 11-17. In this commentary, the Lords speak as follows: "Assuming that the aforementioned church is collegiate, from which the parties come, it follows, according to common law, although it may be different in cathedrals... that the care of souls habitually pertains to the Chapter, as affirmed by Calderinus, Oldradi, etc. (citing many others there). And therefore, according to this legal provision, funerals belong not only to the Prefect, but also to the Chapter." These words of this Rotal decision, "although it may be different in cathedrals," should not dissuade us, because the collegiate church of Saluzzo was indeed erected as a cathedral, but this erection...

[*Latin ed. p. 38*]

38 Acta Apostolicae Sedis - The Official Commentary made no change whatsoever to the status of the Church, with regard to the care of souls, and not even the slightest word about it is found in the Bull of erection into a Cathedral. Furthermore, this common right was not infringed upon in the Bull *Per Immaculata*, by which the parish church of Salutiarum was erected into a collegiate church in the year 1483; but rather, that right was asserted and confirmed. The Cardinal Legate in this Bull states: "We, by the authority of the Apostolic See, and by these presents, do anew erect the aforementioned parish church (of Salutiarum) into a collegiate church with a Chapter, a choir, a seal, and other collegiate insignia, and we adorn it with all collegiate privileges, prerogatives, titles, and honors. And in it, we erect anew and establish a Deanery, which shall be the principal dignity therein, and the Dean thereof, who shall receive one hundred florins of gold from the treasury on the fruits of the Chapter's endowment; and also an Archdeaconry, a Praepositura, an Archpresbyterate, to which the care of souls pertains, and also twelve canonries and twelve prebends, which we also erect anew and establish therein." From this explicitly stated erection, it manifestly follows that the right and title of care, or habitual care, pertains to the Chapter, while the actual care, or the exercise of care, pertains to the Archpresbyterate; for it must be carefully noted that the very entity

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of the parish of Salutiarum was erected into a collegiate entity; that is, it became a collegiate entity; hence, all the goods and rights of the parish of Salutiarum, and therefore also the right and title of care, were transferred to the College. If anyone were to say that both the habitual and actual care were transferred to the Archpresbyterate, then by that very statement, it must be said that the parish of Salutiarum (which consists entirely of habitual and actual care) was erected into the Archpresbyterate, and not into a collegiate institution: which is contrary to the Bull of erection, and therefore false. Therefore, from the mere erection of a parish church into a collegiate church, Pignatelli, loc. cit., can. 169, n. 9, concludes that the habitual care remains with the Chapter: "Hence, it follows," he says, "that the care of souls, which resided in the parish church, remains in the property and title of the same church erected into a collegiate institution, and of its Chapter, which is constituted with an archpresbyter and canons." All of these things receive confirmation and light from the other parts of the aforementioned Bull of erection. By virtue of this Bull, by which the parish church of Salutiarum became a collegiate church, all the goods of the church became the goods of the College, and "the fruits, revenues, and proceeds of the aforementioned parish church of the town of Salutiarum, not exceeding three hundred florins of gold in value annually, according to common estimation," became the fruits, revenues, and proceeds of the Chapter's endowment, and of these three hundred florins of gold, one hundred florins of gold are expressly assigned to the Dean for his contingent portion; nothing, however, is expressly

[*Latin ed. p. 39*]

The Roman Rota has decreed 39 [benefices] are assigned to the Archpriest, and therefore he is placed in the same rank as the other canons, among whom the remaining revenues of the collegiate chapter are divided, after the portion of the Dean has been deducted. Indeed, as will soon be explained further, all the goods of the parish church, namely, the properties, tithes, revenues, etc., have become the goods of the collegiate institution; and a portion has been assigned to each canon. Furthermore, this assignment of all the revenues of the parish church to the collegiate institution is a constant, perpetual, and undeniable sign of the habitual care remaining with the Chapter, as Pignatelli states, loc. cit., cons. 169, n. 11-12, where he also cites the decision of the Sacred Congregation of Councils of November 14, 1646; Lotterius, loc. cit., q. 20, n. 125-126; Pitonius, loc. cit., disp. 45, n. 5: "And these are the words of Pitonius, 'This proceeds without difficulty,' 'when it is clear from the circumstances that the habitual care belongs to the collegiate institution;' 'when, that is to say, the tithes have been incorporated into the common fund, and 'the Chapter participates in the expenses of burials, and also supports 'the expenses necessary for the care of the church; in which case, even 'according to those who deny

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that the habitual care legally belongs 'to the collegiate institution, it is clear that the Archpriest is 'not considered other than a simple vicar having only actual care.'"

Nor should it be said that this assignment of all the goods of the parish church to the collegiate institution, which is claimed to have been made, is uncertain, because the author of the Bull does not expressly say that he is uniting and applying all the goods to the collegiate institution. For if he does not say this expressly, he says it implicitly, namely, by declaring the annual value of all the revenues, fruits, and proceeds of the parish church, to the sum of approximately 300 florins; for what else could this declaration be, unless to show what the endowment of the new collegiate institution will be? Moreover, when any church is erected into a collegiate institution, all its goods (unless an explicit exception is made) are considered to be transferred to the collegiate institution; otherwise, only a part of the church, and not the church itself, would be erected into a collegiate institution. Furthermore, in the same Bull of erection of the collegiate institution, it is expressly stipulated that the right of choosing or presenting the Archpriest belongs to the collegiate institution, and the institution belongs to the Ordinary of the place (except for the first ten years, in which this right belongs to the Dean of the collegiate institution); thus it is written in the Bull: "To the aforementioned Dean and Chapter (we grant and concede) the power to 'choose, for all time, persons suitable for other dignities which, by 'law, are not part of the patronage of this kind (only the Deaneries 'and Archdeaconries were by law part of the patronage), and 'canonries and benefices for the time being vacant of this kind." And, after the said ten years have elapsed, to the Ordinary of the place.

[*Latin ed. p. 40*]

40 Acta, Apostolicae Sedis - Official Commentary: "that the institution pertains to them." Furthermore, this is also a clear sign that, although the Archpriest is entrusted with the actual care, the habitual care remains with the Chapter; for, precisely, one of the principal rights of a habitual parson is to ensure that the actual care is exercised by another, that is, to appoint a curate. Thus, Bouix writes, *De Parocho*, Part I, section 3, chapter I (edition 1867), pages 178-179: "He is said to have habitual care only when, in fact, he does not exercise it, nor is he able to exercise it, but only 'to some extent can and ought to provide, so that' through someone, under the title of 'curate,' it is exercised." Wernz also teaches this, *Ius Decretalium*, Vol. II, no. 821, II: "To these [habitual parsons] the care of souls neither 'de facto' nor 'de jure' pertains; but they can and ought only to provide, so that it is exercised through a curate." However, when some dignity within the Chapter, e.g., the Archpriestship, holds both the habitual and the actual care, it is not usually chosen by the Chapter, but is provided for as with a parish by common right, namely, it is freely conferred by the Ordinary, or,

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with reserved terms, by the Apostolic See. Thus, Reclusius writes, *De re parochiali*, Part I, title 5, no. 33: "If a parish, although united to a Chapter, college, monastery, or similar ecclesiastical body, has been accustomed to be provided for freely, or through a Datary, in this case, it can be concluded without any doubt that both cares remain with the parson, according to the Sacred Congregation of Councils, in the document *Vicen.-Parochiae*, August 23 (1760), § Ex hoc, page 151, where it is also stated: 'Moreover, because over time the parish has been accustomed to be provided for freely by the Ordinary or Datary, without the concurrence of the Chapter, this is a strong argument that both the total actual care and the habitual care belong to the parson.'" Therefore, in our case, since, by virtue of the Bull of erection, to which alone we must adhere in this matter, the Archpriestship ought not to have been conferred freely by the Ordinary or Datary, but jointly by the Chapter and the Ordinary, so that the Chapter would choose the Archpriest, and the Ordinary would institute him, it is a clear sign that the habitual care remained with the Chapter; otherwise, as stated above, the Archpriestship would have been by free conferral of the Ordinary or Datary, as with a parish by common right. Therefore, from the intention of the Bull and all its provisions, it is clear that the habitual care remained with the Chapter; but, what is more, this Bull has always been understood in this sense, as is evident from the practices that followed the publication of the Bull of erection in the year 1483 and have continued until the present time; for these practices are the best interpretation of any law, statute, foundation, contract, and any disposition. Furthermore: as stated above, according to the common teaching of canonists, the assignment of all the goods and rights of a parish to a collegiate body is a constant, perpetual, and undeniable sign that the habitual care remains with the Chapter.

[*Latin ed. p. 41*]

Saint Romanus, Chapter 41. Furthermore, in fact, from the time the Collegiate Church was established until our own times, we see that the ownership of all the goods and rights of the parish church, and the administration of all its affairs, belongs to the Collegiate Church; while the Archpriest has only a portion of it, namely, his share as a canon, and certain uncertain emoluments.

1. If we speak of the properties which belonged to the parish church in the year 1483, it is clear from the documents of the years 1486-1517 (Summary of the Chapters, nos. 2, 4, 5, 6, etc.) that they passed into the treasury of the Chapter. In these documents, we find a long list of properties and houses, with the local designation of each, and the names of the tenants or leaseholders; these properties and houses certainly belonged to the old parish, and in these documents, they are presented as the property of the Chapter's treasury. These properties, as is clear from the same documents, are administered by the Chapter, which grants leases, claims against unjust

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holders, etc., as a lord; and some of these properties appear to have been distributed, at least temporarily, among the canons, in order to provide for their support. Furthermore, it is clear that, after the establishment of the Collegiate Church, no distinct parish benefice remained separate from the treasury of the Chapter, since, as will be seen below, the Archpriests have repeatedly confessed that they receive only their share as canons, along with certain emoluments from the offerings of the faithful.

2. If we speak of tithes, it is also clear that they passed into the treasury of the Chapter. As can be concluded from the Chapter documents from the years 1486-1517 (Summary of the Chapters, nos. 9-10), only the Chapter appoints the tithe collectors and regulates all matters relating to the collection of tithes. Moreover, in the year 1567, when a dispute arose between the Chapter of Turin and the Chapter of Saluzzo regarding the right to tithes in a certain part of the territory of Saluzzo, only the Chapter claimed and obtained that right, so that not even a mention was made of the Archpriest. And here we are speaking of sacramental tithes, as is clear from the very document of the transaction of the year 1567, between the two Chapters, where no other reason is given for the collection of these tithes than the administration of the sacraments. Later, in a memorandum addressed to the King in the year 1722 (Summary of the Chapters, no. 25), the Archpriest confesses that, as a parish priest, he receives only 300 lire, from the offerings of the faithful, while the wax for the funerals and the tithes belong to the Chapter: "He [the Archpriest] receives only three hundred lire a year, now more, now less, as a parish priest, which are obtained from small offerings for baptisms and marriages, while the wax for the funerals remains with the Chapter, as do the tithes." It should be noted in passing that, in the year 1844, a legacy, which had been made for the exercise of pastoral care, was received, not by the Archpriest, but by the Chapter (Summary of the Chapters, no. 53). Acts, vol. VI, no. 2. - 7-2-914.

[*Latin ed. p. 42*]

42 Acta Apostolicae Sedis - Official Commentary 3. If we are speaking of the emoluments of funerals, the same must be said, with the restriction mentioned below. It is indeed established, from certain documents cited in the Summaries, that the Chapter, from its very foundation, until the present time, has always received and distributed the emoluments of funerals. And, for the period from the year 1595 to the present day, it is established from the examination of 22 chapter registers, in which the individual burials are noted, along with the respective emoluments, that the Chapter has always received these emoluments, and has distributed them to the individual canons, including the Archpriest, through the work of the Canon Datary. For a more ancient period, documents from the years 1502, 1505, etc., exist in the Chapter Summary, from which it is clear that the Chapter, from the beginning, has received these funeral emoluments. And

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this custom still continues to this day, as is clearly established by a recent investigation: on the one hand, the reverend Chapter members unanimously testify (having seen it for 40 years, and having heard of it for a previous period) that funeral emoluments have been received and paid in the name of the Chapter, and have been distributed monthly by the Canon Datary; on the other hand, from a careful examination of the chapter books from the year 1822 to the year 1912, it is established: "that the 'funeral emoluments,' both for masses offered before the deceased and for the 'burials,' were and are received by the Chapter and monthly distributed to the Canons." Furthermore, the Bishop of Salutiarum, in a report presented to the diocese in the year 1898, states to the Sacred Congregation for Councils: "... the habitual care remains with the entire Chapter, to which belong the funerals, anniversaries, and legacies"; and the same was the case in the year 1900, as is evident from the report presented that year (Chapter Summary, no. 2, in fine). Therefore, it is not surprising that the Chapter, and indeed the Chapter alone, over time, has regulated everything pertaining to funerals and funeral taxes (Chapter Summary, nos. 36, 37, 38, 79), and in the regulation of the year 1871 (ibid., no. 39), in which new taxes are defined, adapted to new times, for each type of burial and funeral mass, only the Chapter is present, deliberates, and decides, so that not even the Archpriest is mentioned. We have indicated above that this receipt of funeral emoluments by the Chapter is not without some restriction. This restriction concerns what is called the "fourth" of the funeral expenses. The "fourth" of the funeral expenses is a determined portion (ordinarily one-fourth) of all the emoluments that arise from a particular funeral, different from those received by the parish priest for the burial in the parish church; this portion is to be paid to the parish priest. Furthermore, this "fourth" of the funeral expenses, from ancient times, has not been received by the Chapter, but by the Archpriest, as we read in a document from the year 1667 (Chapter Summary, no. 20, in fine): "When bodies are buried outside the Cathedral, he [the Archpriest], as the parish priest, receives the fourth."

[*Latin ed. p. 43*]

The Roman Rota states: "regarding funeral expenses; if [the deceased] is buried in the Cathedral, no benefit accrues" (cf. also the Summary for the Archpriest, nos. 6, 36, 37, 42, 43, 44). The origin of this custom is obscure; however, the principal fact remains that, for four centuries, the Chapter has always received funeral emoluments (with the exception of this one), it is therefore best not to dwell on a matter of minor importance, which was only an exception, when the ordinary case was the burial of parishioners in their own parish. Regarding this type of restriction, in matters concerning funerals, the custom, by virtue of which, it seems, since the year 1701 (cf. Summ. Archipresb., no. 41), and perhaps even 1675 (ibid., no. 40), the Archpriest receives a double share in the distribution of funeral

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emoluments; thus, in the year 1868, during a pastoral visitation, Archpriest Muttis stated: "Whenever new wax is used for funeral services, the canonical Archpriest, by custom, receives double the amount of wax given to the other priests, and two candles are taken from the supply used by the vicars." (cf. Summ. Capit. no. 40, p. 78). However, as is evident, this custom does not prove anything against the assertion that the Chapter retains habitual care. Since the actual care falls to the Archpriest, and this care is especially exercised in administering the sacraments to the dying, it was natural that, on the occasion of funerals, the Archpriest, as the pastor, would receive a larger share.

4. If we are speaking of the administration and protection of parochial rights, we see that this has always been, and is, exercised by the Chapter, as by lords of the manor. When it comes to defending the rights of the parish, against outsiders, against regulars, against confraternities, against subsidiary churches, against the municipality, it is the Chapter that acts, that complains, that initiates or maintains lawsuits: of which there are many examples in the Summary of the Chapter (nos. 20, 22, 23, 24, 27, 30, 41, 43). Therefore, when the diocesan authority intends to issue a decree regarding a parochial right, e.g., concerning funerals, it addresses this not to the Archpriest, but to the Chapter (ibid., no. 12). When, in the year 1840, Bishop John Giannotti intended to erect the church of Oervignasco as a parochial church, and thus to detach its territory from the Cathedral church, he acted, not with the Archpriest, whose name is not even mentioned, but with the Chapter; and when, in the year 1844, he brought his plan to fruition, he wanted to pay compensation, not to the Archpriest, but to the Chapter (New Documents for the Chapter, nos. 18, 19). Similarly, when the Most Reverend Bishop of today, in the year 1908, intended to detach a portion of the territory of the cathedral parish in order to erect a new parish, he acted, not with the Archpriest, but with the Chapter (Summary of the Chapter, no. 49). Furthermore, when the municipality...

[*Latin ed. p. 44*]

44 Acta Apostolicae Sedis ~ Commentarium Officiale. If someone wishes to compose a matter concerning parochial rights with the authority of the parish, they compose it, not with the Archpriest, but with the Chapter (ibid., n. 38, cf. n. 87). 5. If the matter concerns providing for the care of souls through the appointment of a Pastor (which is also one of the rights belonging to the habitual care), we also see, according to what was provided in the Bull of erection, that the Chapter is to choose or present the Archpriest, to be instituted by the Ordinary. This was done without interruption from the time the Collegiate Church was established until the year 1744, that is, for two and a half centuries; this observance is of the greatest importance, because, having been followed without any interrup-

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tion since the Bull itself, it should be considered to present a legitimate interpretation of it. Nor is it to be said that from this year 1744 until the present time, other provisions were made for the Archpriestate, namely, through competition; but competition presupposes a benefit, which is subject to it, and which entails both habitual and actual care. For a) That the Archpriestate has been subject to competition since the year 1744 is entirely and clearly contrary to the Bull of erection, the words of which were recited above, which stipulated that the Archpriest should be chosen perpetually by the Chapter and instituted by the Ordinary; but the law of the Council of Trent (cap. Expedit maxime, 18, sess. 24 De Reform.) which prescribes the form of competition in conferring parochial benefits, did not apply to the parochial church of Saluzzo, which was never vacant, since it was established as a Collegiate Church (cf. De Luca, De Parochis, disc. 10, n. 3-4, and disc. 37, n. 36); which was also understood for two centuries. Therefore, in the year 1744, the Chapter, having barely heard of the announced competition, protested to the bishop against the nullity of the announcement, and against all that would follow (Summ. Capit., n. 85). Furthermore, the application of competition, which was so contrary to the Bull of erection, and to the two-century-old observance, certainly could not change the status of the parochial church of Saluzzo, by transferring the habitual care from the Collegiate Church to the Archpriestate; and this is all the more to be said, because, as Pignatelli rightly notes, cit. cons. 150, n. 2: "It is not within the power of the Chapter to relinquish from itself the care of souls 'in respect of habit,' but it can only do so in respect of exercise." b) It is false to suppose that competition always entails a benefit, which is subject to it, and which entails both habitual and actual care; and indeed, it often happens that a benefit or endowment, to which only actual care is attached, is conferred through competition, either because it is prescribed in the Bull of erection, or by the law of foundation, or because it was done out of an erroneous opinion, or for the better and more secure provision of the care of souls, as Cardinal De Luca observes, De Parochis, cit. disc. 37, n. 38-40.

[*Latin ed. p. 45*]

The Roman Rota has decreed that, in Saluzzo, from the time of the establishment of the collegiate church until now, the Collegiate Chapter, according to the will of the Lord, has the authority, within the parish church erected as a collegiate church, over all matters concerning property, tithes, funerals, and the revenues derived from funerals, and other parochial rights; and it protects and defends these rights against anyone, and it deals with or settles matters concerning them with ecclesiastical or civil authority; and finally, except for the fourth part of the funeral expenses and certain uncertain revenues, about which we shall speak shortly, it receives all the revenues of the parish. The Archpriest, besides the actual care that is incumbent upon him by virtue of the Bull of erection,

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and which he exercises (within the limits hereinafter specified), either personally or through his vicars, does nothing else and has no other rights. With regard to revenues, he receives his share as a canon, and furthermore, as a parish priest, he receives a double share in funerals, and, when bodies are buried outside the cathedral parish, the fourth part of the funeral expenses, and in addition, the customary fees for baptisms, marriages, and parochial certificates of baptism, death, marriage, etc. Therefore, in the year 1722, the Archpriest Muttis wrote the following words, as mentioned above: "The Archpriest who has the care of souls has only 300 lire per year, now more, now less, as a parish priest, which are obtained from certain small, occasional offerings for baptisms and marriages, while the wax for the funerals remains with the Chapter, as do the tithes" (Summ. Capit., n. 25), and, in the year 1843, during a visitation by the bishop, the Archpriest Sebastiani said: "Except for the rights for confirmations and similar trivial matters, I receive only my sixteenth share of all the parochial revenues, while the Chapter receives them" (Summ. Capit., n. 3). Therefore, it is not surprising that, in public or quasi-public documents, the Collegiate Chapter is said to have habitual care, while the Archpriest has only actual care. This is expressly stated in the Acts of the Visitation of the years 1701, 1730, etc., (Summ. Capit, n. 3), in the Reports on the state of the diocese presented to the Holy See, e.g., in the years 1898, 1900 (ibid., n. 2), and in many other documents. Therefore, regarding the first question, the authorities considered it appropriate to respond, as stated above: Regarding the first part, affirmatively, that is, that habitual care belongs purely and simply to the Chapter; regarding the second part, negatively. REGARDING THE SECOND QUESTION. Does the Archpriest, in this case, have the entire actual care, exclusively and independently of the Chapter? If we were to consider only the Bull of erection, this second question would be answered affirmatively; for in this Bull, as we have already seen,

[*Latin ed. p. 46*]

46 In the *Acta Apostolicae Sedis* – Official Commentary, we read: "And in it (the Collegiate Church), we establish a Deanery, which is the principal dignity therein... and also an Archdeaconry, a Rectorship, an Archpresbyterate, to which the care of souls pertains." Since this concerns an actual care, and this care without distinction, without restriction, without exception, and without any "dependence" on the Chapter, is attributed to the Archpriest, it follows, by the force of the Bull itself, that the entire actual care belongs to the Archpriest, to be exercised exclusively and independently of the Chapter. However, it must not be overlooked the ancient custom or prescription to which the Chapter claims to be subject in order to exercise certain parochial functions, such as the celebration of a funeral Mass in the presence of the body, the blessing of houses at Easter, etc. It

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is well known in law that parochial rights can be prescribed; for the force of prescription does not exclude the nature of the thing, nor a special legal prohibition; it is not excluded by the nature of the thing, since even episcopal rights of jurisdiction, which are more sacred and immediately pertain to the divine constitution of the Church, can be prescribed, according to all Doctors; nor is it excluded by a special legal prohibition, which is nowhere written in law; prescription is prohibited against the *fines* of parishes, as well as against the *fines* of dioceses and provinces (cap. Super eo, 4, de Parochiis); but nowhere is it prohibited that parochial rights be prescribed. Therefore, against this, a prescription, whether customary or acquisitive, is valid; it is well known that a community can prescribe, against the parish priest, immunity from tithes, from the fourth of funerals, etc.; of which the Doctors speak extensively in the titles *De Decimis* and *De Sepulturis*. But even an acquisitive prescription is valid against parochial rights, so that, for example, a community, a church, or a person ecclesiastical, can acquire, in place of the parish priest (a privative prescription), or even together with the parish priest (a cumulative prescription), the right to collect tithes, to conduct funerals, or something similar. There is no doubt about this, although some authors or perhaps some decisions of the Holy Congregations may seem to suggest the contrary. Let us hear the most learned [author], in Constitution 9 of Innocent, n. 55: "But can such a right of conducting funerals be acquired by Regular Canons, so that it remains with them?" "I answer affirmatively; for although the parish priest has the legal right to assist in the burial of all the bodies of the parishioners in their church, those who do not choose burial elsewhere..., yet this loses its force, and remains weakened and diminished by the plurality of acts of possession by the Regular Canons, if no one else acts for the parish priest, as the Rota has taught, in Bich, dec. 442, n. 6, and elsewhere; for, the legal assistance for the parish priest does not have that strong presumption of law, that it cannot be infringed, at least by a forty-year prescription."

[*Latin ed. p. 47*]

The Roman Rota states (47) that, "either by a title clearly stated, or by an immemorial custom, as is customary, that the cathedral church should possess all the bodies of clerics who serve it, even if they are located in another parish, so that it may be preserved." The Rota, in the aforementioned decision of Mantua, and in the aforementioned decision of Arezzo, concerning the right of first refusal. Furthermore, the common opinion of Doctors affirms that the right to collect tithes can be acquired by prescription, either against the parish priest himself, or by a foreign parish priest, or by the church, or even by a simple cleric; see, for example, Fagnan, in chapter "When it happens," 29, on Tithes; Gonzalez, in chapter "To the ears," 6, on Prescriptions, and in the aforementioned chapter on Tithes; Passerini, in VI, in the title "On Tithes," numbers 298, 299; Reiff-

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enstuel, in the title "On Tithes," numbers 124, 127; Pichler, in the same title, number U; Schmalzgrueber, in the same title, numbers 42, 44, etc., etc. And so it is with all other parochial rights, because the reason is the same; hence Engel, in the title "On Parishes," number 5, says: "To parish churches belongs the jurisdiction to exercise in the forum of penance, to administer the sacraments, to celebrate marriages, to have the baptismal font, the cemetery, and the right to bury the dead, so that finally the rector has the right to receive tithes and offerings." Although, from the individual rights mentioned above, it cannot be precisely proven that a church is a parish church, since similar things can also belong to other churches by privilege, or by custom, or by prescription, etc." Thus, also Reclusius, "On Parochial Matters," page I, title 5, numbers 63, 64: "For it is clear to no one that in a church, even if not a parish church, sacraments can be administered, and pastoral care can be exercised, by privilege, or by prescription, according to the teaching of Engel..., Barbosa..., the Rota before Herrera, Crisp, Samminiato, Cardinal Elephantuti, Figueroa, etc." This is also confirmed by Emilius Gennari, "Canonical Questions," number 574, page 729. Thus, it is also accepted in the jurisprudence of both the Holy Roman Rota, as is evident from the decisions mentioned above by Cardinal Petra and by Reclusius, and of the Holy Roman Congregations, especially the Holy Congregation of Bishops and Regular Canons, for example, in Thelesina, "On Parochial Rights," August 22, 1901, which is referred to in the Ecclesiastical Monitor, volume 14, pages 289-290; the Holy Congregation of Councils, in several decisions, for example, in Papien, "On Funerals," January 20, 1906 (Thesaurus S. C. C, volume 165, pages 141-164); the Holy Congregation of Rites, as is evident from its decree, which has the force of law, of December 10, 1703 (Decreta authentica, number 2123), in which, after ordering relations between parish priests and confraternities, with regard to parochial rights and parochial functions, it states, in the end: "And so, saving conventions and agreements, concordats, indulgences, immemorial customs, or at least centennial customs; these last words imply, according to the opinion of the Holy Congregation, that these customs (which, as frequent experience teaches, can benefit parishes as well as harm them) can prevail over parochial rights."

[*Latin ed. p. 48*]

48 Acta Apostolicae Sedis — Official Commentary

Regarding the time required for a prescription to prevail against parochial rights, one must refer to the pronouncements of the Bishop, I, On Prescriptions, section VI, paragraph 6, which states that when a prescription is opposed by a right (as in the case of parochial rights, which are based on common law), either a forty-year prescription with a title is required, or, if no title exists, an immemorial prescription. Therefore, since in this case there is no title upon which the prescription is based

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(as will be stated below, it is entirely uncertain whether the transaction of 1493 is the origin of the capitular prescription), the Chapter, in order to claim the parochial rights it asserts, must demonstrate an immemorial prescription of these rights. Consequently, the Holy See Tribunal, before resolving the proposed doubts, ordered a supplementary investigation into the immemoriality of the custom or prescription concerning the principal points claimed by the Chapter, namely, the celebration of the funeral Mass with the body present, the blessing of houses on Easter days, and the duty of preaching and hearing the confessions of the faithful. This investigation was indeed carried out in accordance with the instructions of the Holy See Tribunal, dated August 5, 1912. It is well known that, in order to prove an immemorial custom, witnesses are required who can testify, at least, that they have seen, for a period of forty years, the matter in question being done in this way; then, that they have heard from their elders that it has always been done in this way; finally, that they have never heard anything to the contrary, so that the custom is continuous and peaceful. However, to prove the various aspects of the prescription that are not so readily apparent, such as the receipt of emoluments, the absence of opposition, etc., written documents and any other forms of evidence are also admissible. Now, therefore, we can address the four points raised in the Rotale Instruction, namely, the celebration of the funeral Mass with the body present, the blessing of houses on Easter days, the duty of preaching and hearing the confessions of the faithful. With regard to the material and tangible fact (namely, that the Chapter celebrated the aforementioned Mass, preached, heard confessions, and that the sacristan priest blessed the houses on Easter), it should be noted that this matter is so well known that even the Archpriest admits it, as can be seen in his comments attached to the Triplication, where he writes, on page 15: "Who ever denied 'the fact that the Canons sang Mass with the body present, that they 'preached from time to time, or heard confessions, and that the sacristan priest 'blessed the houses at Easter? No one, including the Archpriest, 'and therefore, if the Judges had only wanted to be persuaded of the 'materiality of the possession, as the opponents claim, they certainly 'would not have admitted testimonial evidence, because the fact of the 'possession was confessed by both parties.'" And he admits that it was done peacefully.

[*Latin ed. p. 49*]

S. Romana Rota, 4, 1, c., page 18: "Concerning the fact that the Archpriest did not propose to his 'witnesses' the question of whether they knew of any disturbance concerning the material possession of the Chapter in the singing of the Mass for the deceased, it is observed that the Archpriest, seeing that the possession of the Chapter, as evidenced by the testimonies of the witnesses, appeared to be a purely material possession, devoid of

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all the qualities required for possession to serve for prescription, did not deem it necessary to ask a question that would, in practice, remain perfectly useless; and for the same reason, he did not deem it necessary to ask this question regarding the other points raised in the interrogation." Finally, the Archpriest himself admits that the Canons perform these duties, even when he disagrees; he writes on page 16, in the section *adversa*: "He [the Archpriest] endures the violent state of things induced by custom, but he does not renounce his right. Would the Canons perhaps want the Archpriest to make a protest for every Mass that they sing, for every sermon that they preach, for every absolution that they impart?" Therefore, although this fact is worthy of consideration, we insist rather on the nature of the act, namely, under what name the Chapter performed all these acts, whether under its own name and with the intention of ownership, as required for legitimate prescription, or under the name and delegation of the Archpriest. Now, therefore, let us proceed to the individual points. Regarding the first point, namely, the celebration of the funeral Mass, it must be said, after careful consideration, that a long-standing custom favorable to the Chapter has been demonstrated. Indeed, of the 16 witnesses presented by the Chapter, 7, namely, Peter De Matteis, Adolphus Lagutaine, Augustine Savio, Hyacinthus Bollea, Reverend Peter Pagge, Reverend Albert Gioftredi, and Countess Maria Martina, testify that the Canons celebrated, and have celebrated, the funeral Mass, in turn, and on several occasions, in the presence of the Archpriest; and they testify to this, having seen it for 40 years, and having heard of it for the remainder of the time, and they add that they have never heard anything to the contrary, or, in other words, that the possession of the Chapter was peaceful. Moreover, these witnesses clearly state or imply that the possession of the Chapter was with the intention of ownership, or under its own name, and not under the name or delegation of the Archpriest; for, according to them, the arrangement of the funeral office and the receipt of emoluments are always done in the name of the Chapter, whether it is done (as is customary) by the sacristan priest, who acts only in the name of the Chapter, or by another; the Archpriest himself celebrates the funeral Mass on several occasions, but in his turn and therefore as a canon. All these signs clearly indicate that the Chapter...

[*Latin ed. p. 50*]

50 Acta Apostolicae Sedis - Commentarium Officiale possesses the proper name. However, the Archpriest objects against the witness, the Countess Mariam Martina, firstly because women are not, by law, excluded from the office of witness in ecclesiastical judgments (cf. cap. Quoniam, 3, De Testibus; cap. Mulieres, 2, De Iudiciis, in VI), and secondly because the aforementioned Countess truly testified, regarding the principal fact (namely, the celebration of Mass by the canons in turn), for 40 years, and regarding the rest of the time, by hearsay. The same Reverend Archpriest

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also objects against the witness, Augustine Savio, because he is the nephew of the canon, Fidelis Savio, who, in this case, represents the interests of the Chapter; however, because this relationship is not so close, and the present cause does not concern the canon, Fidelis Savio, in his own person, the aforementioned witness may be admitted. Furthermore, although he is rejected, still, his testimony, especially with all that which will be immediately stated, is quite sufficient to prove said memorable custom. Indeed, a) this custom is confirmed by four other witnesses presented by the Chapter, whose testimonies, although they may not fully meet the requirements of the law for proving a memorable custom, nevertheless have great force in confirming it; these are: Anthony Ternavasio, who testified by sight for 46 years; Dominic Sartoris, 83 years old, who testified by sight for 70 years; Reverend Canon Antonini, who, being absent from Salutis for the last 40 years, could not testify except by hearsay during that time, but testified by sight for 20 years prior, and again by hearsay for the remainder of the time; Reverend Father Fidelis Savio, S.J., who, likewise, was mostly absent from Salutis for the last 40 years, and could not testify except by interrupted sight during that time, and by hearsay for the previous time. b) Furthermore, said memorable custom receives valid confirmation from the testimonies of the Reverend Canons; for ten Canons, namely, all (except the Archpriest and another who, since he is not a canon except since 1910, was not fit to testify), confirm, in general and in particular, whatever the witnesses presented by the Chapter testified regarding the celebration of the Mass performed by the Canons, in the name of the Chapter, and regarding the antiquity of this custom. Indeed, their testimony, by itself alone, would not be legally sufficient to prove said memorable custom; but no one can deny that their sworn attestations have great weight: and the Reverend Archpriest cannot diminish or infringe these attestations, nor all his words, unless he himself wishes to diminish or infringe all his own attestations and all his own words. c) What we say about the attestations of the Reverend Canons, should also be said about the written declaration given by Reverend Dalbesio, the present sacristan, who clearly states, by sight for 22 years, and by hearing for

[*Latin ed. p. 51*]

The Roman Rota has determined that for the remainder of the time, the funeral Mass has always been celebrated by the Canons in turn, including the Archpriest when it was his turn, and this was done by all the Canons in the name of the Chapter, and without any delegation from the Archpriest.

d) The Chapter records provide evidence for the years 1822-1912, that is, for the last 90 years: "1° That the funeral fees, both for the Mass 'in presentia cadaveris' [before the body] and for the burials, were and are collected by the Chapter and distributed monthly to the Canons; 2° That the Canons chant and sing the Mass 'in presentia cadaveris' in turn (Nova documenta

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pro Capit., p. 6)." The importance of this document is clear; if the Canons chant the Mass in turn, then the Archpriest also does so when it is his turn; therefore, all the Canons do so in the name of the Chapter; it would be entirely pointless to seek any delegation from the Archpriest.

e) Regarding the peaceful nature of the aforementioned Chapter's possession, the testimony of the episcopal curia of Salutiarum must be added; in which we read: "Having seen and carefully examined all the judicial and extrajudicial records of the episcopal curia, they declare that the Archpriests in office of the same cathedral have never made any complaints against the Chapter's custom, dating back to time immemorial, of chanting the Mass 'in presentia cadaveris' and of collecting the entire fee for burials (Nova docum., p. 16)."

Against this accumulation of evidence, the Reverend Archpriest presented 16 witnesses. Furthermore, from these witnesses, three, namely Spiritus Falco, Iosephus Forastelli, and Iosephus Rossi, spoke in such a way that nothing certain can be derived from their testimony. Five other witnesses, namely Gioffredus Abelli, Iosephus Aimone, Andreas Giorelli, Ioannes Poracchia, and Andreas Franco, demonstrate nothing against the immemorial custom in question; they merely state that the funeral Mass is celebrated by the Canons and by the Archpriest, either by the Canons alone, or by the Archpriest alone; which everyone admits; furthermore, they do not know in whose name the Canons perform this duty, except for one (Ioannes Poracchia), who believes that the Canons celebrate rather in the name of the Archpriest than in their own name. Five other witnesses, namely Ioannes Delsoglio, Georgius Catalano, Iosephus Gallo, Felix Beltrami, and Iosephus Nardona, testify that the funeral Mass is celebrated by the Canons in turn, including the Archpriest, or (as two of them state) almost always or always by the Canons, and sometimes by the Archpriest; thus, they rather favor the Chapter. Finally, the remaining three, namely Vedastus Gallo, Carolus Garino, and Iosephus Garino, testify that the funeral Mass is usually celebrated by the Archpriest, and only sometimes by the Chapter; but this assertion is so contrary to the testimony of all the other witnesses, even those who were presented...

[*Latin ed. p. 52*]

52 Acta Apostolicae Sedis - The Official Commentary is based on statements from the Archpriest, both his own assertions and the acts of the chapter mentioned above, so that it should be understood in a strictly limited sense, namely that these witnesses rarely attended funerals in the cathedral church, and that, in fact, when they did attend, it almost always happened that the Archpriest celebrated Mass: this explanation is suggested by the very way of speaking of Charles Garino, one of these witnesses: "When I went to the cathedral, I almost always saw our parish priest (celebrating that Mass)." Therefore, the testimonial evidence presented by the Rev-

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erend Archpriest cannot invalidate the force of the testimonies and documents presented by the Chapter, and thus the ancient custom regarding the celebration of funeral Masses by the Chapter, in its own name, remains proven. Nor can it be said, as the Advocate for the Archpriest argues (Duplication no. 9), that the Chapter's claim to this right is "equivocal, because in the same church there exists simultaneously a parish church and a cathedral church, and therefore, when the Canons perform funeral rites, it is not easily apparent whether they do so because of the requests of the faithful who have chosen burial in the cathedral church, which at that time enjoys the right of the burying church, or, in the absence of any choice by the faithful regarding the burying church, whether they do so even contrary to the common law, which assigns funerals to the parish priest of his parishioners." Nor, we say, can this be said; for, in the cathedral church of Saluzzo, there are not two churches, one parish and the other cathedral: the former is the one in which the faithful are buried who do not have a burial place chosen elsewhere or who are Gentiles; the latter is the one in which the faithful may be buried by virtue of their choice; as was seen in the first objection, there is only one church, which is both parish and collegiate (or cathedral), and therefore in which, without any choice, the faithful are buried; and indeed, the faithful have very often been buried in that church, and yet there is no indication in the records of even a single act of choice. Regarding the second point, namely, the blessing of houses on the occasion of the Easter festivals, the same must be said, namely, that an ancient and established custom in favor of the Chapter has been demonstrated. For a better understanding, it is necessary to distinguish between the sensible and visible fact, namely, who performed and performs this blessing, and the power by which they do so, namely, whether by a power granted by the Chapter, or by a power granted by the Archpriest, or, in other words, whether in the name of the Chapter or the Archpriest. Furthermore, with regard to the sensible and visible fact, namely, who performed and performs this blessing of houses, there can be no difficulty;

[*Latin ed. p. 53*]

The Roman Rota, in its judgment 53, concerning an immemorial custom, grants this blessing to the sacristan priest. Indeed, from the 16 witnesses presented by the Chapter, namely Anthony Ternavasio, Adolphus Lagutaine, Augustine Savio, Hyacinthus Boliea, Reverend Peter Pagge, Reverend Albert Gioffredi, and the Countess Maria Martina, it is testified that the aforementioned blessing of the houses has always been performed by the sacristan priest; and they testify to having seen this for 40 years, and having heard of it for the remainder of the time. As for the objections raised by the Reverend Archpriest against the witnesses Augustine Savio and the Countess Maria Martina, the same must be said as above, concerning the funeral Mass. Furthermore, the testimony

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of these seven witnesses is greatly increased and strengthened by other testimonies or writings. Indeed, a) Three other witnesses, presented by the Chapter, although they cannot fully prove the aforementioned immemorial custom according to the strictness of the law in this matter, nevertheless greatly contribute to confirming it. Dominic Sartoris, aged 83 years, testifies to having seen, for 70 years, the sacristan priest always performing the aforementioned blessing of the houses; Reverend Michael Antonini, aged 73 years, testifies the same, having seen it for 60 years; Reverend Father Fidelis Savio, S.J., aged 64 years, testifies to having seen it for approximately 15 years, and having heard of it for the remainder of the time. b) Ten Canons (namely, all except the Archpriest and the junior canon) testify, under oath, that the blessing of the houses has always been performed by the sacristan priest, who is also called the ceremonialist of the Chapter, on Paschal days, and they testify to having seen this for 40 years, and having heard of it for the remainder of the time; and how much weight these testimonies carry, although not sufficient to legally prove it, but to confirm the immemorial custom, has already been stated above. c) The same must be said concerning the written declaration given by the Reverend Dalbesio, the current sacristan priest, who testifies that he, as sacristan priest, has performed the aforementioned blessing for 16 years; he testifies the same, having seen it for 6 other years, and having heard of it for the remainder of the time. d) Indeed, of the 16 witnesses presented by the Reverend Archpriest, 15 testify that they have always seen the sacristan priest blessing the houses on feast days; and the testimonies of some of them go back to the time of the sacristan priest Bigo, who was appointed in the year 1826. Therefore, concerning the very fact itself, namely that, for approximately the last hundred years, or concerning the immemorial custom, the sacristan priest has performed the blessing of the houses, on the occasion of Paschal feasts, there can be no difficulty.

[*Latin ed. p. 54*]

54 Acta Apostolicae Sedis - Official Commentary.

Regarding the second question, namely, by what authority or in whose name the priest serving as sacristan blesses houses, it is now necessary to investigate. Furthermore:

a) Of the seven witnesses presented by the Chapter, who, as previously seen, testify that the sacristan priest has always blessed houses during the Paschal season, 6 assert that the sacristan priest performed this action by delegation of the Chapter, and in the name of the Chapter; indeed, two of them, namely, the Reverend Peter Pagge, and the Reverend Albert Gioffredi, add that the Chapter, as part of the stipend due to its sacristan, assigns the offerings which the faithful make on the occasion of the aforementioned blessing of houses, to the amount of approximately 200 livres. Six of the witnesses add that this has always been the case, and that the Chapter's

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possession has never been disturbed; as for the seventh witness, namely, Adolph Lagutaine, he states only that the sacristan priest acted by order of a superior; therefore, with regard to this, his testimony is ambiguous.

b) It is entirely evident that any minister, in performing a certain act, acts in the name of the one who appoints him, pays him a stipend, and to whom, with regard to the performance of this act, he gives orders, and for this specific act, assigns a salary. Furthermore, the sacristan priest has been appointed by the Chapter for the past hundred years, from which he also receives a stipend, as evidenced by the Chapter's records (Nov. doc. pro Cap., p. 17); moreover, it is the Chapter that gives orders to the sacristan priest to bless houses, and assigns him a salary for this act, as we learn from the agreement of 1897 between the Chapter and the sacristan priest, and from the testimonies of the Reverend Peter Pagge, and the Reverend Albert Gioffredi; whereas, during those past hundred years, there is no trace in the records of the Archpriest having given orders to the sacristan priest to bless houses, nor having assigned him any salary for this act; which is clear evidence that the blessing of houses, as it has been performed from time immemorial by the sacristan priest, has also, from time immemorial, been performed by the Chapter itself, not in the name of the Archpriest, but in the name of the Chapter. This is all the more to be said because "sacristy" is not, by common law, an autonomous entity, as the Archpriest would have it, but is entirely subject to the Rector of the church, or, if we wish, it is a means by which the Rector of the church uses to administer the things pertaining to worship. Furthermore, the Rector's office is performed by the Chapter, which retains habitual care, which will also be noted in the fourth question. And all of these things are excellently confirmed by: a) The testimonies of ten Canons (namely, all except the Archpriest and the junior Canon), who, under oath, asserted that the sacristan priest has always blessed and does bless houses by order of the Chapter and in the name of the Chapter, and that this is the Chapter's possession.

[*Latin ed. p. 55*]

a) The Roman Rota has never been disturbed; and these depositions, since they concern the internal and domestic aspect of the chapter's administration, must be admitted here, at least as supporting evidence. b) A written declaration was given by the Reverend Dalbesio, the current sacristan, who testifies that, for 16 years, while serving as sacristan, he has blessed houses by order and in the name of the Chapter alone, from which he also receives a salary for this function; and he states that this has always been the case, and that the Chapter's possession has never been disturbed. c) An attestation from the Officials of the Curia, who, with regard to the Chapter's possession, namely, the delegation of the sacristan to bless houses, declare that the nature of this possession is peaceful, having examined all the records of the Curia, and it does not appear that the Archpriest opposed the

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Chapter's use of which we are speaking (New documents for the Chapter, page 28-29). The Reverend Archpriest opposes this demonstration with his own witnesses. It has already been stated that 15 witnesses, presented by the Archpriest, testify that they have always seen the sacristan bless houses during the Paschal season. However, with regard to the specific question at hand, namely, by what authority or in whose name the sacristan blesses houses, these witnesses are very diverse: three say they do not know; two assert that it is in the name of the Archpriest; nine believe or think that it is in the name of the Archpriest; one says in the name of both, namely, the Chapter and the Archpriest. Therefore, nothing certain can be deduced from this aspect, and the depositions of these witnesses cannot invalidate the demonstration presented in favor of the Chapter. The Archpriest notes that the sacristan also fulfilled the duties of a vice-curate before the year 1824, and therefore it can be presumed that he performed the blessing of houses as a minister of the Curate or Archpriest. But this presumption is overridden by a stronger presumption; for if the blessing was done in the name of the Archpriest, the power to bless houses should have ceased with the cessation of the duties of the vice-curate. In reality, however, it did not cease, and the sacristan consistently performed this function until the present day. Therefore, it must be said that he performed the blessing previously as a sacristan, or as a minister of the Chapter, and not as a vice-curate. Regarding the third point, namely, preaching, it must also be stated that a long-standing custom in favor of the Chapter has been demonstrated. Here, too, two things must be distinguished: the perceptible and visible fact, namely, that the Canons sometimes preach in the cathedral church, and the power or quality with which they preach. As far as the first point is concerned, it hardly needs to be said; for from the depositions of all the witnesses, even those presented by the Archpriest,

[*Latin ed. p. 56*]

The official records of the Apostolic See, based on the testimonies of all the Canons and on documents to which some references are made below, clearly show that the Reverend Canons have performed and continue to perform the office of preaching in the cathedral church, and have supplemented and continue to supplement the Archpriest in the instruction of the parish, and this refers to a time that exceeds human memory. Therefore, the entire difficulty revolves around the second point, namely, the authority with which the Canons act, whether they act by virtue of their canonical office, without any delegation from the Bishop or Archpriest, or by delegation from either of them.

Furthermore, it remains proven that the Reverend Canons perform the office of preaching by virtue of their very title of canon, that is, simply because they are canons, and without any delegation or approval from anyone.

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a) This is asserted by seven witnesses appointed by the Chapter, namely, Peter De Matteis, Augustine Savio, Hyacinthus Bollea, Reverend Peter Pagge, Reverend Michael Antonini, Reverend Albert Giofiredi, and the Countess Maria Martina, who all assert that the Canons preach by virtue of the sole title of canon, and without any delegation or license whatsoever; and they all trace this state of affairs back to a time long past, saying that it has always been so (with the exception of Reverend Antonini, who does not speak of such a long time); we omit two witnesses, Teresia Vicini and Rosa Elia, who simply believe that the Reverend Canons preach by virtue of the sole title of canon.

b) Ten Canons testify in the same sense, namely, all (except the Archpriest and the junior Canon), who clearly affirm that the Canons have preached and do preach by virtue of the sole title of canon, without any delegation or approval whatsoever; and this has been the case from a time long past.

Furthermore, since we are dealing here with an internal and domestic matter, about which the Reverend Canons are presumed to be well informed, their sworn testimony must be given great weight, although by itself it is not sufficient to prove a custom of long standing. However, the testimony of these witnesses, whether from the Chapter or not, receives strong confirmation from certain circumstances, of which many of them testify. Thus, as they say, Reverend Peter Pagge, and Reverend Canons Martini, Perassi, Fidelis Savio, when the Reverend Canons supplement the Archpriest in the office of preaching, or explain the Gospel, they receive no stipend or any kind of compensation: which is a sign that they act by their own office, just as the Archpriest himself, who never receives anything for preaching. Similarly, when the Canons perform the office of preaching in the cathedral, or even formerly in the church of Cervignasco, which was part of the cathedral parish, they were and are considered to be present in the choir to...

[*Latin ed. p. 57*]

The Roman Rota has determined the meaning and all the effects of the law: this is testified to by Michael Antonini and Albertus Gioffredi, and by the Reverend Canons Fidelis Savio, Peretti, and Giletti. Furthermore, it is clear that Canons, when performing the office of preaching, are considered and treated as parish priests or curates; for if a Canon, while performing some parochial office in the Cathedral, is present in the choir, this privilege belongs solely to the vicar curate. Finally, in exercising this office of preaching, the Reverend Canons act in no way like delegates, who do not usually delegate, but rather, using their own and ordinary jurisdiction, either they themselves preach, or they delegate to preach those whom they judge to be suitable, without the intervention of the Archpriest: this is testified to by numerous witnesses, both chapter and extra-chapter. Therefore, it must

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be concluded that Canons, with regard to preaching, are considered and act as parish priests or curates, or as those actually exercising some part of the pastoral care. This state of affairs dates back to a time long past; this is proven by the testimonies of the 6 witnesses mentioned above, by the testimonies of the Canons themselves, and also by certain documents produced by the Chapter; for in a certain manuscript, entitled "Memorie spettanti all'ufficio del canonico Datario, etc.," which refers to the years 1814-1820, we read: "The Canon who will perform the spiritual exercises, has a place in the choir for that time, just as he who preaches in the Cathedral and in Cervignasco." This, according to the aforementioned, implies that Canons are accustomed to preach in the cathedral church and in the church of Cervignasco, and that, in exercising this office, they are considered as parish priests or curates. The same conclusion is drawn from another document of the year 1798, in which are found the observations which, on the occasion of a pastoral visitation, the Bishop of Salutiarum, the Most Reverend Lovera, made regarding the rubrics of the Chapter Statutes: "The rubric XIII must especially indicate the dispensation from the choir, not granted simply because of age, but rather because of the canonical service...; and it could, for greater clarity and precision, include in a single title the series of all those who, although absent, are considered present, that is... those who are assigned to the office of preaching in the Cathedral and in the church of Cervignasco." To these documents must be added the sworn testimony of two officials of the episcopal curia, who declare that they have never given to the Reverend Canons any written delegation, license, or approval, which refers to the office of preaching, and that they have always heard it done in this curia (New document, page 39). Furthermore, this demonstration cannot be contradicted or diminished by the testimonies of 16 witnesses produced by the Reverend Archpriest, of whom 5 know nothing or say nothing, 2 speak in a very doubtful manner, and the remaining 9 assert...

[*Latin ed. p. 58*]

58 Acta Apostolicae Sedis - The Commentary provides only what it believes, or has always believed, to be the truth, that the Canons preach according to the delegation of the Archpriest. Against this demonstration, the defender of the Archpriest objects a passage from the diocesan synod, title 19, concerning the Canons, where it is said, "...with eager and prompt spirit, as until now, they will preach the word of God and administer the sacraments, except for confessions." Therefore, says the defender, the faculty of preaching is given to the Canons, which, once granted, has not been retracted afterwards, and thus possesses the required delegation. However, this interpretation cannot be accepted, for: a) this synod refers to the year 1885; moreover, even before that, as is read in the very words quoted ("as until now"), the Canons preached; certainly, they did not preach by

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virtue of the faculty granted in this synod; b) a simple episcopal delegation (which, according to the defender, was the delegation contained in said synod) could never explain how the Canons, as demonstrated above, preach by office and freely delegate other priests to preach, and, when they themselves preach, are considered present in the choir, and never receive any compensation for their preaching. It must therefore be said that the Canons preach by a higher and more intimate title, namely, as has been seen, by the title of actual care, which they exercise in part. Regarding the delegation from the part of the Archpriest, there is neither a trace nor a mention of it in the records, except in the opinion of some witnesses presented by the Archpriest. Regarding the fourth point, namely, the office of hearing confessions, the same must be said as about preaching, and for almost the same reasons. Setting aside the visible and tangible fact, namely, that the Canons have, from time immemorial, heard the confessions of the faithful in the cathedral church (regarding which fact all agree and there can be no doubt for anyone), we must consider the title or power by which the Canons act in this way. Furthermore, from the records, it has been demonstrated that the Reverend Canons hear the confessions of the faithful, by the sole title of canonry, without any delegation or approval from the bishop, in the manner of parish priests, and this refers to a time immemorial. a) This is asserted by 7 witnesses from those presented by the Chapter, namely, the same ones mentioned above, regarding preaching; these all say that the Canons hear the confessions of the faithful, without any delegation or approval from the bishop, and simply because they are Canons and by virtue of their canonical title; they also all say that this refers to a time immemorial; except for the Countess Mariam Martina, who speaks only of 40 or 50 years. b) This is also asserted by many Canons, who testify that the Canons hear the confessions of the faithful by the sole title of canonry, and without any

[*Latin ed. p. 59*]

The Roman Rota has approved, or the bishop has delegated, the power to absolve, insofar as it is an ordinary power; for concerning the absolution of reserved sins, they receive from the bishop, just as does the Archpriest and all the parish priests, the customary document, commonly called a "patent," which grants to all of them the power to absolve from reserved sins. It is true that in this document, which is also granted to simple priests, there is also, in general terms, the power to hear confessions within the diocese; but from this it does not follow that the Canons have, by means of this document, the aforementioned ordinary power to absolve; otherwise, it would follow that the parish priests, by means of this document, possess the power to absolve in their own parish from ordinary cases, which is false. Therefore, in fact, this document does not grant to the Canons anything other than the power to absolve from reserved sins. Thus assert the Rev-

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erend Canons Martini, Joseph Savio, Fidelis Savio, Peretti, Allemandi, and Giletti, adding that they have always heard it to be so. As for the three other Canons, namely the Reverend Baralis, Perassi, and Vigna, having read in the aforementioned patent that the power to hear the confessions of the faithful within the diocese is granted, they believed and said that they possessed the power to absolve by means of the bishop's delegation. As for the Reverend Canon Allais, the Penitentiary, he said that he hears confessions as the Penitentiary, and therefore by common right; however, he said nothing about the powers of the other Canons; therefore, his testimony is not relevant to the matter. The testimony of the aforementioned witnesses, whether chapter members or non-chapter members, who say that the Canons hear the confessions of the faithful by means of the mere title of canonry, receives great strength from the fact that the Canons, when they hear the confessions of the faithful in the Cathedral, or even the confessions of the sick in the city, are considered to be present in the choir, for all legal purposes (so testify the Reverend Antonini, and the Canons Fidelis Savio, Peretti, and Giletti); for this demonstrates that the Canons hear confessions by some kind of parochial right, because, as stated above, if a Canon, while performing some parochial function in the Cathedral, is considered to be present in the choir, this privilege is that of the parish vicar alone. And this canonical condition of the Chapter, with regard to hearing confessions, goes back to time immemorial; this is proven both by the depositions of the aforementioned witnesses, whether chapter members or non-chapter members, who expressly assert this, and by the two documents already cited above, namely the manuscript entitled "Memorie spettanti all'ufficio, etc.," and the other document, in which the acts of the pastoral visitation of Bishop Lovera are recorded. In the first document, which refers to the years 1814-1829, we read: "Any of the Lords Canons who are lacking in the office to administer the sacrament of Penance to the sick, or to assist the dying, and also in confessing..."

[*Latin ed. p. 60*]

60 Acta Apostolicae Sedis - Official Commentary: "Only in the cathedral church, even though they are not present at the assistance, or at the sung Mass, or at Vespers, they are present at the choir" (Nova doc., p. 40). And in another document, which refers to the year 1798, after the words mentioned above, we read: "... all those who, although absent, are considered present, that is... those who during the divine offices must be present at the confessional; those who are occupied with immediate services of the parish" (Nova doc., p. 41). And all of this receives even greater light and confirmation from the testimony of two officials of the Curia of Salutiarum, who declare that they have never given to the Reverend Canons any written delegation, approval, or license to hear the confessions of the faithful; rather, they themselves are accustomed to receive the customary

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paper, commonly called a patent, but only for reserved cases, in exactly the same way in which the same paper is given to the parish priests and the Archpriest; these officials add "that it is the tradition in the Curia that the Canons, because they are Canons, have, for that very reason, the ordinary faculty for confessions, and in this, the Curia considers them equal to the Canon Archpriest"; finally, they declare that they have always heard, over time, that this has been the practice in the Curia. Furthermore, it is known that jurisdiction can also arise in the internal and sacramental forum from custom and prescription, as taught by Pirhing, in tit. De Poenitentiis et remissionem, n. 36; Schmalzgrueber, in eum d. tit. n. 40 ad 4; Pichler in eumd. tit. n. 5, towards the end, etc.; and this is also commonly taught by Moralists; see, for example, St. Alphonsus, Book VI, n. 564, 573; Ballerini Palmieri, Opus Morale, de Poenitentia, n. 626; Bucceroni, Institutiones Theologiae Moralis, vol. II, n. 771, 775, etc. Against this demonstration, the patron of the Archpriest objects, not the witnesses produced by the Reverend Archpriest, because they were not questioned about confession, but the text of the diocesan Synod, title 19, De Canonicis, where it is said "... with eager and prompt spirit, as until now, they will preach the word of God and administer the sacraments of confession"; this difficulty is resolved in the same way as the same difficulty was resolved above regarding preaching. Therefore, with regard to the four items proposed in the Rotale Instruction, namely the celebration of the funeral Mass, the blessing of houses, the office of preaching, and hearing confessions, it must be said that the Reverend Chapter has truly demonstrated the custom or prescription that is necessary to claim these rights. Indeed, it must be added that these four, so to speak, particular prescriptions, mutually aid and corroborate each other, so that if something perhaps is less rigorously proven in one, it receives light and confirmation from another; for these four prescriptions tend towards a single thing, namely that the Reverend Chapter has certain rights.

[*Latin ed. p. 61*]

Saint Bommta Bota 61 specifies which aspects of actual care it exercises, sometimes independently of the Archpriest (performing the funeral Mass and blessing houses), and sometimes in conjunction with him (preaching and hearing confessions). It should not be said that the aforementioned prescription was not a peaceful one, but rather that it was disturbed in the eighteenth century, for example, when the Archpriest Balbis defended the parochial rights against the Chapter, and therefore that prescription cannot be considered. For not all acts contrary to an immemorial prescription invalidate the force of that prescription, but only those that occur within a period of approximately one hundred years, to which the memory of living people can refer; for acts contrary to the prescription that have been performed beyond this period of one hundred years cannot in any way invalidate or diminish the force of the immemorial prescription; because precisely this

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very long and centennial period of tranquility, of which witnesses testify (partly by sight, partly by hearing), presupposes that, after those contrary acts, everything has been settled either by legitimate agreement or by an Apostolic Indult, so that, according to the doctrine of canonists and the numerous decisions of the Holy Rota, the immemorial prescription is a better title throughout the world. That acts contrary to the prescription, performed more than one hundred years ago, do not harm the immemorial prescription, was already taught by Innocent IV in chapter "Veniens," at the end of the title "De Verborum significationibus," no. 2 at the end, and by Speculator, book II, in part "De Probationibus," no. 29 at the end, from which, and from many other doctors, the Holy Rota has always maintained this doctrine, for example, in "Recentioribus," decision 491, no. 9, p. iii; decision 56, no. 19, 20, p. VII; decision 421, no. 10, p. XVIII, vol. 2; decision 193, no. 17-18, p. XVII, title i; decision 168, no. 39, p. X. It should not be said that a prescription, however immemorial, has no value where there is proof of a defective title; but here, there is proof of a defective title, namely, the invalid transaction of the year 1493, from which arose the entire actual care that the Chapter claims for itself. To better understand the solution to this difficulty, it must be known that a transaction concerning the care of souls took place between the Chapter and the first Archpriest, Bartholomew Vacca; a transaction that was accepted in the year 1490 by the second Archpriest, Anthony Vacca, who succeeded his brother, the aforementioned Bartholomew, in that year. Concerning this transaction, in order to make it firm, the Chapter deliberated on December 14th of the year 1493 (Summ. Capit. no. 83-84). The outcome of this deliberation is presented in the chapter acts (ibid. cited no. 84): "The Archpriest... in the presence of the Chapter, being informed of the aforementioned remission (of the office of care) "made by the aforementioned former Archpriest, under "the same reservation of dignity, which would always remain with him, accepted it.

[*Latin ed. p. 62*]

62 Acta Apostolicae Sedis - Commentarium Officiale « continuing approved and embraced, with the constant approval of the Apostolic See, and with the reservation of the rights of the other superior; indeed, and from now on, he remitted said care, exonerating himself and burdening the conscience of the Chapter, with this condition added, namely that the Chapter shall effect that, within the next year, the Holy Apostolic See shall admit and confirm this remission, exonerating the aforementioned Archbishop from the burden of said care. And if this is not obtained from the Holy See, and if the aforementioned Archbishop is not freed from the burden of said care, after the said year has passed, the parties and each of them shall remain in their original terms, as they were before this agreement and remission. And thus, through these means, and in the manner and

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form aforementioned, from now on he remitted said care, and agreed to be thus exonerated."

Therefore, we are speaking of a care or office of care, purely and simply, and therefore of the entire actual care, which the Archbishop, by virtue of this agreement, intended to remit to the Chapter; for at that time, Chapters and other Colleges, to which a parish church had been entrusted, still commonly exercised actual care, either collegially, or through canons in turn, or in some other way.

Whether the aforementioned transaction of the year 1493 was approved by the Holy See, or not, is quite uncertain; it seems more likely that it was never approved, both because there is no trace of this approval, and because it does not appear that the Archbishop was ever exonerated from the care of souls; hence, this transaction remained invalid.

However, it is by no means certain that this transaction was the origin of the centennial prescription of which we are speaking; it could have arisen from other causes, just as any other prescription against the rights of bishops or pastors; nor is it necessary that the Chapter should demonstrate the true origin or title of its prescription; for this prescription, by the very fact that it is immemorial, constitutes a title in itself, and a very valid title, indeed, as has been said, a better title than any other in the world.

Therefore, since there is no proof of a defective title for the prescription of which we are speaking, we must adhere to it, and thus the aforementioned difficulty remains resolved.

Furthermore, the Chapter does not claim the rights in question by virtue of that transaction, but rather by virtue of the immemorial prescription. Therefore, it was considered that the following should be answered to the second question: The Archbishop is entitled to the entire actual care, with the reservation of the rights and offices that the Chapter has prescribed by immemorial custom, among which must be included the celebration of the funeral Mass in the presence of the deceased, the blessing of houses on Easter days, the right to provide for the parish preaching when the Archbishop is prevented, and the right to hear the faithful.

[*Latin ed. p. 63*]

In Rome, sixty-three confessions are heard in the parish. In this matter, the same Lords declare that their intention is not to determine all and each of the parochial acts which the Chapter can perform, but only to indicate those mentioned above, so that a response may be given to the question proposed. Furthermore, with regard to that part of the matter which remains to the Archpriest, and in which the Chapter has prescribed nothing, the Archpriest exercises this independently of the Chapter, since the care of souls pertains to him, not by virtue of a delegation granted by the Chapter, but by virtue of the Bull itself, by which the Collegiate Church was

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established.

ON THE THIRD QUESTION. Whether the Archpriest should be considered a true parish priest, and whether he can exclusively represent the parish to the Chapter. This question has two parts: 1) Whether the Archpriest should be considered a true parish priest; 2) Whether he can exclusively represent the parish to the Chapter. With regard to the former part, the solution is clear from what has been said. For, according to what has been proven above, in the parochial church of Saluzzo, erected into a collegiate church, the habitual care rests with the Chapter; but the actual care, by virtue of the Bull of erection, is attached to the Archpriestate, and indeed, by virtue of this attachment, the entire actual care pertains to the Archpriestate, although, by virtue of prescription, the Chapter legitimately claims and exercises a part of this actual care. Furthermore, in a strict and rigorous sense, when parochial care is divided into habitual care, which remains with the Chapter, and actual care, which is entrusted to a specific cleric, the name of parish priest is reserved for the Chapter or College, which is then called the principal or habitual parish priest; the name of curate is given to the priest who exercises the actual care. However, in a broader sense, here also the curate is a parish priest, because he exercises the care of souls in his own name, and not in the place or name of another; indeed, in our case, the Archpriest does not exercise the actual care in the place or name of the Chapter, but in his own name; for he has the care, as stated above, not by delegation from the Chapter, but by virtue of the Bull of erection of the Collegiate Church, and by virtue of his own dignity as Archpriest, to which the said Bull decreed that the care of souls should pertain; therefore, with regard to the actual care, he is not a vicar of the Chapter, but a priest exercising this care in his own name, and therefore a parish priest. As Bouix says, *De Parocho*, part I, section 3, chapter 1: "Actual care, if exercised both by obligation and in one's own name, and with a bond of duty to the parishioners, effects and constitutes a parish priest." However, since this appellation of parish priest, in this sense, is broad and less rigorous, it has happened that, in public or quasi-public acts, the Archpriest of Saluzzo has very rarely been designated by the name of parish priest.

[*Latin ed. p. 64*]

64 Acta Apostolicae Sedis - Official Commentary. Regarding the second part of this third question, namely, whether the Archpriest can exclusively represent the parish before the Chapter, the solution is also evident from what has been said. Indeed, both by natural and canonical law, only he who is the head of a community, or in general, of any legal entity, can represent it; thus, the bishop represents the diocese, the abbot or prior the monastery, the dean the Chapter, the rector the college, etc. However, in Quarten, the head of the parish is not the Archpriest, but the Chapter, "in which resides

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the habitual care and the rectorship of the church, as is also stated below in the fourth question." Indeed, as mentioned in the first question, over the course of the centuries, the Chapter has always represented the parish before ecclesiastical and civil authorities, before any tribunals, before other parishes, confraternities, and any community whatsoever. Therefore, in answering the third question, they considered it appropriate to respond as follows: To the first part: Provided for in questions I and II; to the second part: Negatively.

ON THE FOURTH QUESTION. Does the governance of the cathedral church pertain to the Chapter or the Archpriest in this case? The solution to this question is also evident from the foregoing. Since the ancient parish church of Saluzzo was elevated to a collegiate church, it passed into the ownership of the Collegiate, along with all its goods and rights, as stated in the first question; therefore, the College, or Chapter, became the true and sole rector of the church; and therefore, the governance and administration of this church belong to the Chapter. In a similar case, Pignatelli, cited, Cons., 50, after having established that, in a collegiate parish, the habitual care, by common law, belongs to the Chapter, and proceeding to the governance of this church, he says, n. 8: "But with regard to the governance and administration of the church, the Chapter 'likewise bases its intention on what is the rector or parish priest,' and thus the care of governing and administering pertains to him by law, 'as per the Rotomagus Decrees, etc.'" It cannot be said, in our case, that the Archpriest is also the parish priest and rector, and therefore that the governance of the church pertains to him. For he is a parish priest only in a broad sense, as stated above, and he is not properly the rector of the church, but only the rector of the care of souls, to use the words of the Holy See in decree 316, n. % P. IV, vol. %, among the more recent documents, or the rector of souls, as Pichler says, in title De Officio vicarii, n. 15. Therefore, whatever pertains to the governance and administration of the church, not only with regard to capitular functions, but also with regard to divine worship,

[*Latin ed. p. 65*]

The Roman Rota has determined that the celebration of the offices, the care and arrangement of the sacred furnishings, etc., all pertain to the Chapter; the Archpriest, however, can only ordain and administer with regard to the actual care; or, more precisely, in our case, that part of the actual care which he retains for himself, such as marriages, baptisms, catechisms, etc. This is fully confirmed by the ancient and constant practice in the Collegiate Church of Saluzzo, as is evident from the Summary of the Chapter. Indeed, when it is a matter of the sacred furnishings of the church, the Chapter deliberates and decides; for example, it examines the sacred furnishings, prescribes rules for their preservation, deliberates on their sale or other disposal, in the case of public necessity, and makes arrangements for the

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benches and *scamnis*; it takes care of the organ (Summary of the Chapter, nos. 54, 61, 62, 65, 67, 68, 69, 70, 72, 73, 80); it assigns the use of the church pews to confraternities or private families (ibid., nos. 60, 63). When rectors of confraternities or of some pious work propose to celebrate divine offices, Masses, or sermons in the church, they deal with the Chapter (ibid., nos. 55, 63, 76). When it is a matter of the general order or discipline of the church, for example, with regard to the order of Masses, the hour of the divine offices, the opening of the church doors, etc., the Chapter always deliberates and establishes regulations (ibid., nos. 71, 74, 75, 77, 79). When it is a matter of the order and assignment of the confessional pews in the church, the Chapter arranges everything, and, through the work of the Archdeacon, assigns the various pews to the individual confessors, as has been testified by numerous witnesses, both capitular and extracapitular, in the supplementary proceedings (Summary, according to the Chapter). And this is well known to the bishops of Saluzzo, who, when they wish to communicate advice, exhortations, or ordinances regarding the aforementioned matters, deal with the Chapter (Summary of the Chapter, nos. 51, 78). Therefore, it is clear that, since the Chapter is the rector of the church, the governance and administration of the church pertain to it; whereas, since the Archpriest is not the rector except for the actual care (nor for the entire care, in this case), only the ordination of those functions which he retains for himself pertains to him, and in no way the governance of the church. Therefore, in response to the fourth question, they answered: "The governance of the church pertains purely and simply to the Chapter."

[*Latin ed. p. 66*]

66 Acta Apostolicae Sedis - Official Commentary ON THE FIFTH QUESTION. Whether an Archpriest has the right to reside in the house adjacent to the cathedral church, and to adapt that house for residential use at his own expense, independently of the Chapter? It should be noted in this question that we are dealing with the right of the Archpriest to reside in the house adjacent to the cathedral church. Therefore, the answer is straightforward: for the Archpriest possesses no document whatsoever, nor can he invoke any claim of ownership, to prove this right. Indeed, everything indicates that the aforementioned house, so-called the "plebania," is under the dominion and administration of the Chapter. As it is evident from the documents in the Chapter's Summary and the Additional Summary (Summ. n. 86, 87, and Summ. Addit., n. 7, 8, 9), the Chapter, in the year 1607, granted this "plebania" to the Archpriest in a form of leasehold; but since he did not observe the laws and conditions contained in the leasehold contract, the Chapter revoked that leasehold (in the year 1608), and deliberated on recovering the "plebania" from the Archpriest (in the year 1609). The "plebania" recovered by the Chapter was given in lease to the Bishop of Salutiarum in the year 1643. Finally, after various vicissitudes, in the year

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1853, when the Archpriest resided in the house called "Casa Minaudi," the Bishop, desiring that he rather reside in the "plebania," which is adjacent to the Cathedral, requested the Chapter to grant the Archpriest a place of residence, under certain conditions and compensation, in the "plebania," "to assign him an apartment in the building called the 'Plebania' belonging to the Most Reverend Chapter" (Summ. Capit., n. 87). This was the action of the Bishop; it was indeed clear and well-known that the "plebania" entirely belonged to the Chapter, and that the Archpriest had no right to establish his own residence there. Therefore, concerning the fifth question, the undersigned considered it appropriate to respond: Negatively. Having considered and diligently pondered all of these things, invoking the name of Christ, We, the undersigned Auditors, sitting for the Tribunal and having only God before our eyes, concerning the proposed question: Whether the Royal Decree of September 2, 1911, should be confirmed or rejected in this case, We have decided to respond: Regarding the first part, Negatively; regarding the second part: The Royal Decree should be respectively rejected or reformed according to the following responses to the five questions previously agreed upon: I. Whether, and under what limitations, the habitual care of souls pertains to the Chapter or rather to the Archpriest in this case. R. "Regarding the first part... "

[*Latin ed. p. 67*]

The Roman Rota, case 67, affirms that habitual care pertains to the Chapter purely and simply; regarding the second part, it answers negatively. Whether, in this case, the Archpriest is entitled to actual, universal care, exclusively and independently of the Chapter. Answer: The Archpriest is entitled to actual, universal care, provided that the rights and duties prescribed by the Chapter, by immemorial custom, are observed, among which are to be included the celebration of the funeral Mass in the presence of the deceased body, the blessing of houses on Paschal days, the right to provide for parochial preaching when the Archpriest is hindered, and the right to hear the confessions of the faithful in the parish. III. Whether the Archpriest should be considered the true parish priest, and whether he can exclusively represent the parish in place of the Chapter. Answer: Regarding the first part, see points I and II; regarding the second part, negatively. IV. Whether and how the governance of the cathedral church pertains to the Chapter, or to the Archpriest in this case. Answer: The governance of the church pertains to the Chapter purely and simply. V. Whether the Archpriest has the right to reside in the house attached to the cathedral church, and to adapt that house for residential use at his own expense, independently of the Chapter. Answer: Negatively. Therefore, concerning all the aforementioned questions, we decide, we declare, and we definitively pronounce, and we invalidate, or respectively, reform, the sentence of the Rota of September 2, 1911, according to these answers, declaring it

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invalidated or respectively, reformed. Regarding expenses, we wish that they be considered compensated between the parties, both in this instance and in the previous one. Thus we pronounce, commanding the Ordinaries of the places and the ministers of the tribunals to whom it pertains, to order the execution of this our definitive sentence, and against those who resist, to proceed according to the norms of the sacred canons, and especially chapter 3, session XXV, of the Council of Trent, using the executive and coercive means that may be more effective and appropriate for the circumstances. Rome, July 1, 1913. Seraphinus Many, Prefect. Franciscus Heiner. Joannes Prior. L. © S. From the Chancery, July 28, 1913. Sac. T. Tani, Notary of the Sacred Roman Rota.

[*Latin ed. p. 68*]

68 Acta Apostolicae Sedis - Official Commentary

SIGNATURE APOSTOLIC. Reserved causes, whose appeals, according to the proper law, canon 40, were rejected, as lacking a solid foundation in law:

ANDRIA. Concerning restitution in integrum and rights. (Decree of April 25, 1913).

VARSOVIA. Concerning separation, or the nullity of a total sentence. (Decree of May 19, 1913).

Rome, from the Chancery of the Supreme Apostolic Tribunal of the Signature, on February 1, 1914.

Josephus adv. Fornari, S. T. A.

DIARY OF THE ROMAN CURIA

SACRED CONGREGATION OF THE SACRAMENTS.

NOTICE OF COMPETITION.

It is hereby notified that in the Sacred Congregation for the Discipline of the Sacraments, a competition will be held for one minor official position, by written examination, which will be held on March 6th at 8 o'clock a.m. Those ecclesiastics who wish to participate must, within one month from the date of this notice, present their application to the Secretariat of said Congregation, accompanied by the necessary documents for admission.

Rome, February 5, 1914.

Filippo Giustini, Secretary.

[*Latin ed. p. 69*]

Diarium Romanae Curiae 69 SECRETARY OF STATE. BY ORDER. With

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the tickets of the Secretary of State, the Holy Father deigned to appoint:

January 17, 1914. – The Most Reverend Cardinal Domenico Ferrata, Protector of the Order of Hermits of Saint Augustine.

January 18. – The same Most Reverend Cardinal Ferrata, Protector of the Institute of the Handmaids of the Sacred Heart of Jesus. – The Most Reverend Cardinal Ludovico Billot, Protector of the Institute of the Brothers of the Sacred Heart. – The Most Reverend Cardinal Guglielmo van Rossum, Protector of the Order of Regular Canons, of Prémontré. – The Reverend Father Nazzareno Bergs, a Benedictine of the Cassinese Congregation, Consultor of the Sacred Congregation for Religious.

January 19. – The Reverend Father Girolamo Mileta, of the Order of the Conventual Minor Friars, Consultor of the Sacred Congregation of Rites.

January 20. – The Most Reverend Cardinal Antonio Agliardi, President of the Catholic Academy of Religion in Rome.

January 21. – Monsignor Giulio Serafini, titular Bishop of Lampsacus, Consultor of the Sacred Congregation of the Council.

January 22. – The Most Reverend Cardinals Ottavio Cagiano de Azevedo and Diomede Falconio, Members of the cardinal commission for the Work of the Preservation of the Faith in Rome.

January 23. – The Most Reverend Cardinal Domenico Ferrata, Protector of the Society of Missionaries of Africa, in Mahdia.

January 24. – The Most Reverend Cardinal Francesco di Paola Cassetta, Protector of the pious Society of Saint Joseph. – Monsignor Antonio Grasselli, titular Archbishop of Larissa, Commander of the Holy Spirit.

January 25. – The Most Reverend Cardinal Domenico Ferrata, Protector of the Order of the Discalced Augustinians of the Congregation of Italy and Germany. – The Most Reverend Cardinal Basilio Pompilj, Protector of the Institute of the Precious Blood.

January 26. – The Most Reverend Cardinal Gennaro Granito Pignatelli di Belmonte, Protector of the Institute of the Daughters of Saint Amia.

January 27. – The Most Reverend Cardinal Basilio Pompilj, Protector of the Congregation of the Religious of Saint Joseph, under the protection of the Immaculate Mother of God.

January 31. – The Most Reverend Cardinal Ibitonio Vico, Protector of the Institute of the Holy Family of Urgel.

[*Latin ed. p. 70*]

Acta Apostolicae Sedis - Official Commentary, January 31, 1914. — The Most Reverend Cardinal Gennaro Granito Pignatelli di Belmonte, Protector of the Religious Franciscans of the Most Holy Sacrament of Lemberg. February 1. — The Most Reverend Cardinals Benedetto Lorenzelli and Anthony Vico, Members of the Sacred Congregation for Extraordinary Ec-

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clesiastical Affairs. — Monsignor Eugenio Pacelli, Secretary of the same Sacred Congregation. — Monsignor Pacifico Massella, Secretary of Latin Letters. By Apostolic Briefs, the Holy Father deigned to appoint: Apostolic Protonotaries, as if participating: January 6, 1914. — Monsignor Ignazio Panak, of the Archdiocese of Olmütz. January 10. — Monsignor Leonardo Rendi, Imperial and Royal military vicar, of the Archdiocese of Vienna. January 21. — Monsignor Abele Baimaceda, Dean of the Cathedral, and Monsignor Isidoro Fernandez, General Vicar of the Diocese of San Giovanni di Cuyo. Prelates Domestic to His Holiness: December 16, 1913. — Monsignor Francesco Saverio Konrad, of the Diocese of Passau. January 3, 1914. — Monsignor Valentino Li va, Archpriest of the Collegiate Church of Cividale in the Archdiocese of Udine. January 6. — Monsignor Robert Neusen!, Honorary Canon of the Cathedral of Brünn. January 8. — Monsignor Nicola Minadeo, Archpriest of Ripalmosani, Diocese of Boiano. January 10. — Monsignor Marcello Henry, General Vicar of the Diocese of Verdun. January 13. — Monsignor Giovanni Trémoulhéae, and Monsignor Guglielmo Binet des Roys, Honorary Canons of the Archdiocese of Lyon. January 16. — Monsignor Giovanni Georgiu, General Vicar of the Diocese of Armenopoli. — Monsignor Romano Goebel, General Vicar of the Archdiocese of Gnesen. January 18. — Monsignor Emanuele Norberto López, of the Diocese of Cordoba (Argentina). By Letters from the Secretariat of State, the Holy Father deigned to appoint: Secret Chamberlains, extraordinary: January 10, 1914. — Monsignor Pietro Antonio Francesco Thier, of the Diocese of Harlem.

[*Latin ed. p. 71*]

From the Diary of the Roman Curia, January 7th, 1914. — Monsignor Stanislaus Krzeszkiewicz, vice-rector of the seminary of Gnesen. January 18th. — Monsignor Constantinus Fantini, of the Roman clergy. Honorary Chaplains in peacock-blue attire of His Holiness: December 27th, 1913. — Monsignor Anthony Serafini, of the archdiocese of Udine. January 7th, 1914. — Monsignor Augustus Savels, of the archdiocese of Colonia. January 10th. — Monsignor Adrian Hermus, of the diocese of Bois-le-Duc. January 22nd. — Monsignor Desiderius Demény, of the archdiocese of Strigonia. — Monsignor John Pravedoni, of the diocese of Pavia. — Monsignor Charles Rossi, of the same diocese. January 23rd. — Monsignor Peter Bonfiglietti, of the diocese of Tivoli. — Monsignor Felix Piersanti, of the same diocese. January 24th. — Monsignor Gaetan Labruna, of the diocese of Avellino. — Monsignor Nicholas Pétrone, of the same diocese. Secret Chaplains of Sword and Cape, honorary of His Holiness: January 1st, 1914. — Mr. Paul Malafosse, of the diocese of Montpellier. January 21st. — Mr. Lutjon Suttor, of the archdiocese of Paris. HONORS. With Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Grand Cross of the Order of Saint Sylvester: January 18th, 1914. — To Mr. Count Samuel

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Festetics de Tolna, of the diocese of Lavant. The Commander's Cross of the Order of Pius: January 6th, 1914. — To Mr. Knight Louis Mouton, former captain of the Pontifical Zouaves. The Commander's Cross of the Order of Saint Gregory the Great, civil class: January 3rd, 1914. — To Mr. Winando van der Waarden, of the diocese of Bois-le-Duc. January 20th. — To Mr. Francis Schüller, of the archdiocese of Colonia. The Knighthood of the Order of Pius: January 6th, 1914. — To Mr. George de Cadoudal, former sergeant of the Pontifical Zouaves.

[*Latin ed. p. 72*]

From the Acts of the Apostolic See – Official Commentary: The Knighthood of the Order of Saint Gregory the Great, civil class: December 20, 1913. – To the Reverend Professor Giuseppe Peters, director of the hospital of Caiffa. – To the Reverend Erasmo Giorgi, residing in Viterbo. December 31. – To the Reverend Enrico Hellemans, of the Archdiocese of Malines. January 3, 1914. – To the Reverend Patrick Joseph Duffy, of the Archdiocese of Westminster. January 8. – To the Reverend Giuseppe Barrai, of the Archdiocese of Chambéry. January 13. – To the Reverend Giacinto Peralta Ramos, of the Diocese of Piata. January 14. – To the Reverend Peter Joseph Matthew Aalberse, of the Diocese of Harlem. – To the Reverend Count Joseph de Brouckhoven de Bergeyck, of the Archdiocese of Malines. The Knighthood of the Order of Saint Sylvester the Pope: January 25. – To the Reverend Giulio Motte, of the Diocese of Lille. NECROLOGY. January 19, 1914. – The Most Reverend William Turner, Bishop of Galloway. – The Most Reverend Andrea Fiore, Bishop of Cuneo. January 21. – The Most Reverend Joseph of Jesus Guzman, Bishop of Tamaulipas in Mexico. January 30. – The Most Reverend Salvatore Tolu, Archbishop of Oristano. January 31. – His Eminence Cardinal Casimir Gennari, Prefect of the Sacred Congregation of the Council.

[*Latin ed. p. 73*]

Year VI. - Vol. VI. February 24, 1914. No. 3. OFFICIAL COMMENTARY OF THE ACTS OF POPE PIUS X. LETTER TO JOSEPH M. CARDINAL GARDÍNAL, ARCHBISHOP OF PATU MARTIN, COMMEMORATING THE TWENTY-FIFTH ANNIVERSARY OF HIS EPISCOPAL ORDINATION IN COMPOSTELA, NEAR HERRERA, COMPOSTELA.

Beloved Son, greetings and the apostolic blessing. The office which We, with God's help, undeservedly hold is of such a nature that whatever joys or sorrows befall our brothers and sons, We feel them as if they were Our own. And indeed, We are most pleased that events bring Our thoughts to you, namely, the solemnity commemorating the twenty-fifth anniversary of your episcopate in that illustrious see: a solemnity which We have learned is to be celebrated with the consent of the clergy and the people, so that it may commend both their piety towards you and your diligence

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in pastoral office. Therefore, We do not wish Our voice to be absent in this great chorus of congratulations; We do not wish the services of Our charity to be lacking. Truly, Our love for you and for yours is such that We desire that these [congratulations] be pleasing to you, and fruitful for others. Therefore, you, beloved Son, receive from Us our congratulations and our wishes: may they receive the good auspices of heaven, and the Papal blessing, which, according to the proper and customary manner, We gladly bestow upon you on this anniversary day, as mentioned above. May God abundantly grant you the gifts of His grace, and may the apostolic blessing, which We impart to you, beloved Son, with paternal affection, accompany you.

Given in Rome, at St. Peter's, on January 31, 1914, in the eleventh year of Our pontificate.

PIUS PP. X

ACTS, vol. VI, no. 3. - 24-2-1914.

[*Latin ed. p. 74*]

74 Acta Apostolicae Sedis - Commentarium Officiale

SUPREMA S. CONGREGATIO S. OFFICII (SECTIO DE INDULGENTIIS).

DECRETUM DE INDULGENTIIS ET PRIVILEGIIS EXPOSITIONI SSMI SACRAMENTI ADNEXIS.

Die desiderium fidelium, crescens diebus, de publico adorando SSmum Sacramentum Eucharistiae, eadem mente qua iam vetus, a XL Horis nuncupatum, institutum almae Urbis ordinatur, et non dissimili apparatu, augetur. Attamen plurimae solent ad Apostolicam Sedem supplicationes porrigi, ut a Glementinae, quam vocant, Instructionis, ad rem datae, nonnullis conditionibus dispensetur, pro rerum locorumque adiunctis, praesertim vero ut nocturno tempore oratio et expositio ipsa interrumpatur, sive consuetis servatis indulgentiis ac privilegiis, sive novis peculiaribus attributis.

Hisce mature consideratis, SS. D. N. Pius div. prov. Pp. X, quamvis summopere exoptet ut res iugiter ad tramitem Glementinae Instructionis componatur, maiori tamen prospicere volens fidelium emolumento, et ampliori cupiens animarum in Purgatorio degentium providere suffragio, plurimorum inclinatus sacrorum Antistitum voto, de Emorum Patrum Cardinalium Generalium Inquisitorum consulto, feria V die 22 ianuarii 1914, ita decernere ac indulgere dignatus est:

I. Confirmantur indulgentiae, quae per s. m. Pium Pp. IX, die 26 novembris 1876, pro Urbanis XL Horarum, vel ad earum tramitem ubilibet habendis, expositionibus determinatae sunt, ac privilegia altarium, per s.

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m. Pium Pp. VII, die 10 maii 1807, concessa.

II. Permittitur tamen ut ubi exercitium XL Horarum, iudice Rmo loci Ordinario, fieri nequeat prout ab Instructione Clementina exigitur, sit satis, ad effectum indulgentiarum et privilegii obtinendum, primo die sanctissimum Sacramentum, quacumque hora matutina, vel circa meridiem, publicae venerationi in ostensorio exponere, et perdurante ipso die et per diem alterum eiusmodi expositione, ' die tertio, meridie aut de sero, Idem deponere, quamvis noctu expositio interrumpatur.

III. Si aliquibus precibus vel exercitiis, quae a memoratis differant, sive publice sive privatim in ecclesiis vel oratoriis quibuslibet peragendis, eadem adnexa sunt indulgentiae ac privilegia quae sub n. I citantur, quomodocumque concessa fuerint, penitus abrogantur.

[*Latin ed. p. 75*]

I. The Most Holy Congregation of the Holy Office, 75 IV. Where the solemn administration of the Holy Sacrament is continuously held, and also its exposition in the repository, for at least one month, even if interrupted at night, the faithful, having confessed and refreshed by Holy Communion, and devoutly praying according to the mind of the Supreme Pontiff, may obtain an indulgence, once only each week; and seven years and as many Quarantines, in any other instance, through a visit made at least with a contrite heart. Furthermore, those celebrating the Holy Sacrifice of the Mass in the same church or oratory, with the privilege of the altar, for the comfort of the soul of the deceased, may, on any day, enjoy this privilege.

V. Whenever, in any other way, provision is not made for the acquisition of an indulgence, for any other visit made to the venerated Eucharist openly exposed, an indulgence of seven years and as many Quarantines is granted, whenever this is performed at least with a contrite heart.

VI. All the aforementioned indulgences, as a form of suffrage, may be applied to the souls suffering in Purgatory, at the discretion of any faithful person. This present decree is valid forever, without any Brief being required. Contrary provisions notwithstanding.

v D. CARD. FERRATA, Secretary.

L. "S. f D. Archiep. Seleucien., Assessor S. O.

SACRED CONGREGATION OF RITES

VERSAILLES.

CONCERNING BAPTISM ADMINISTERED OUTSIDE THE CHURCH.

The Most Reverend Bishop of Versaliensis humbly proposes the following questions regarding the administration of Baptism, transmitted from

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the Sacred Congregation of Sacraments to the Sacred Congregation of Rites, for appropriate resolution:

I. In the administration of Baptism, when the danger of death is imminent, does the urgent requirement of the Ritual Romanus apply regarding the unction with Chrism, the tradition of the linen cloth, and the wax taper?

[*Latin ed. p. 76*]

76 Acta Apostolicae Sedis - Official Commentary II. Since in the diocese of Versailles, and, as is reported, in certain other places, the practice of adding these rites in the aforementioned case has fallen into disuse, ought it not to be ensured that these rites are strictly observed, and that the priest, in the sacred rite, should bring with him and use the holy chrism, the linen cloth, and the wax taper? III. And, when, outside of a case of necessity, the Ordinary, for reasons explained to him, has granted permission to administer Baptism at home, does the prescription of the Ritual regarding the completion of the rites of the chrism, and the handing over of the linen cloth and the wax taper, apply? And the Sacred Congregation, after hearing the opinion of the Liturgical Commission, having carefully considered all matters, decided that the following should be answered: To I and II: Adhere to the Roman Ritual. To III: Let the Decree of Bellunen be issued. January 17, 1914. And thus it was written on January 23, 1914. Fr. S. CARD. MARTINELLI, Prefect. L.©S. f Petrus La Fontaine, Bishop of Charystien, Secretary. II. DOUBTS CONCERNING THE FEAST OF DEDICATION AND THE OCTAVES. The Sacred Congregation of Rites, for the purpose of a proper declaration, reverently asks: I. Is the anniversary feast of the dedication of all the churches of a diocese to be understood in such a way that, because of the aforementioned feast, each individual church celebrates its own proper Dedication? II. Do the Octaves, granted by law or by privilege, to feasts occurring from December 19th to December 23rd, revive, when they are no longer hindered by the Feast of the Nativity of Our Lord Jesus Christ? And the Sacred Congregation, after considering the report of the undersigned Secretary, having carefully considered all matters, decided that the following should be answered: To I: Affirmative: namely, that the Feast of the Dedication of its own church is celebrated in each consecrated church. To II: Affirmative. And thus it was written on February 12, 1914. FR. L.&S. S. CARD. MARTINELLI, Prefect. f Petrus La Fontaine, Bishop of Charystien, Secretary.

[*Latin ed. p. 77*]

In the Roman Rota, in the matter of SAGRA ROMANA ROTA HELIOPOLITANÁ. JURISDICTION. During the blessed pontificate of Pope Pius X, in the eleventh year of his dominion, the Most Reverend and Most Eminent Lords, Monsignor Lega, Dean, Ponens, William Sebasiianelli, and Seraphinus Manu, Auditors of Tournon, in the case

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of Heliopolis – Jurisdiction, between the Right Reverend Monsignor Peter Dib, represented by his lawful procurators, against N. Ferrata and H. Benvignati, and the Reverend Monsignor John Dib, represented by his lawful procurators, against F. Solieri and T. Ambrosetti, on the 22nd of November, 1913, rendered the following definitive sentence.

Since Pope Pius VII, of blessed memory, having decreed many things for the restoration of ecclesiastical discipline in monasteries, both of monks and of nuns, established in the Maronite nation in Mount Lebanon, he also ordered that the rights held by patrons in monasteries subject to jurisdiction be recognized and confirmed. For this purpose, a synod was held in the monastery of Saint Mary of Loaisa, and on the 28th of October, 1818, it was decreed that the jurisdiction claimed by the priest Moussa Dib, at the instance of the khoury (priest), be recognized and confirmed, and that this right belonged to the Dib family, in three monasteries founded in the diocese of Heliopolis, namely, first, the monastery now called in Arabic Saidet-el-Haklè; the second, Mastita; and the third, Afs, the latter two being named after the places in which they were established. The first monastery, Saidet-el-Haklè, is the most ancient and the most important, and from which the others depend; therefore, when the first is mentioned, the other two are also understood. The parties who assert the concordant jurisdiction contend that they alone enjoy it, those who descend through the male line from a certain Dib who lived at the beginning of the year 1700 in the town of Dilepta, in the diocese of Heliopolis; therefore, they claim to derive their origin from this ancestor, and that they assert that those who are now involved in this action of jurisdiction claim this right for themselves. The disagreement lies in the fact that Peter Dib, who instituted this action before this Sacred Office by order of the Most Blessed Father, contends that this Dib, the ancestor of his family, had only three male children, namely: Solomon, Heliam, and Peter; that Solomon died without male children; that Peter, having been raised to the priesthood, was always celibate; and that Heliam, 1

[*Latin ed. p. 78*]

78 Acta Apostolicae Sedis - Official Commentary: It is stated that he had four sons, namely Moses, John, Genadius, and Peter; and that only the descendants of this family enjoy the right of patronage. On the contrary, John Dib, brought before Us by Peter Dib, contends that the family of Dib, and not three but four sons, had, namely, besides the three mentioned by the opposing party, a fourth, namely John, the father of Nicholas, who had begotten Todros, Joseph, and Helias, from whom those who are now present in this judgment are descended, as if they were strangers to the family of Dib, since they do not descend from the root of Dib, but from a certain Abou-Todros, as this family's root is now called. The present question appears to derive its primary origin from a petition presented as early

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as December 1893 by the Reverend Gabriel Dib, father of John, who is now before Us in this cause. This supplicatory letter was reported by the Prefect of the Sacred Congregation for the Propagation of the Faith in letters addressed to the Apostolic Delegate for Syria: and the tenor of the letter is described as follows: namely, that "titles" were presented "to demonstrate the 'rights of patronage' that the family of Dib has over the monastery of Saidet-el-Haklè and its dependencies," and it was added that the Bishop of Balbek, Monsignor Mourad, was "abusively" continuing "to reside there, by order of his predecessor, his uncle, Monsignor Hagg, now Patriarch." The petitioner concluded that the "legitimate appointment of his son, the priest Dib, as superior and administrator of the aforementioned monastery and of the other two dependencies" should be rectified, and that "similar measures" should be adopted by this Sacred Congregation. When the letter of Gabriel Dib was brought to the attention of the Patriarch, he replied; and his reply was sent by the Delegate of Syria to the Sacred Congregation for the Propagation of the Faith, which, in letters addressed to the same Delegate on August 2, 1897, stated: "From the exposition of Dib and the Patriarch, it is seen that it is not called into question that the family of Dib truly has the right of patronage. However, Monsignor Hagg denies that the Reverend Gabriel Dib, and therefore also his son John, belong to the descendants of the Dib family to whom the right of patronage belongs"; and then it decided: "Therefore, in order to settle this factual question, I would suggest establishing a tribunal for this purpose, composed of the Apostolic Delegate, in the capacity of president, and two assessors. Such a tribunal should define the question through legal means, as was done in 1818 for the division of mixed monasteries and for the recognition of rights of patronage." The Apostolic Delegate, in letters of September 14, 1897, approved the proposal of the Sacred Congregation, namely, to settle the question through a tribunal according to legal means; therefore, the same Sacred Congregation granted the faculty for this purpose.

[*Latin ed. p. 79*]

The Roman Rota, in its judgments, dated October 1, 1897, stated: "We grant full authority to establish, in the name of this Sacred Congregation, a tribunal to resolve the aforementioned question, by associating with it those whom you deem most capable and suitable for the purpose, excluding the Maronites, as you yourself observe; since these may be suspected of partiality. The tribunal thus constituted, for this single matter, will judge according to the law and according to what I wrote to you in my previous letter of August 2nd of the present year, to which I entirely refer." The sentence of the Apostolic Delegate was issued on June 15, 1900, in which the petition of Father Gabriel Dib was rejected; it was decreed, in part, in the dispositive section: "We declare... to the Dib family, to whom the Synod of Loaise has recognized the right of patronage over the convent

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of Saidet-el-Haklè and its dependencies, and that, consequently, Father Gabriel and his family have the same rights and privileges over the aforementioned convent and its dependencies as the family of Mr. Sander Dib." The advocates of the plaintiff state in their observations that Alexander Dib appealed this sentence to the Holy See, but that the Apostolic Delegate refused to accept the appeal, since he himself had judged in the name of the Holy See; therefore, they accuse the Delegate of having ignored the fact that an appeal is made from delegate to delegating authority, as is established by the most learned of laws. However, there is no document in the records of the appeal having been made: rather, from the text of the recourse presented by Alexander Dib himself to the Most Holy Congregation of the Propagation of the Faith, dated September 2, 1900, it is inferred that the petitioner did not initiate an appeal: for he states that on July 17, 1900, a copy of the aforementioned sentence was notified and sent to him; that, having examined the reasons for which the same sentence appeared unjust to him, he signified his intention to appeal to the Apostolic Delegate, and concludes, without mentioning the appeal, "for all these reasons and many others," that he had come to the purpose of petitioning the Holy See to grant a revision of the sentence. However, a revision of the sentence was not granted to Alexander Dib, who again appealed to the Holy Congregation against the confirmation of the sentence. Because, in his letters to the Holy Congregation, the Delegate speaks of an appeal and not of a simple recourse, the Holy Congregation, in its letter of May 3, 1901, replied that the appeal presented had not been accepted; but it is truly clear that it was only an extrajudicial appeal, or recourse, that was presented; for the sentence was issued on June 15 and notified on July 17, 1900, and afterwards, on September 2nd, the recourse was presented; therefore, it could only have been a recourse at that time, and not a properly called appeal. But the same parties never abandoned their intention of obtaining the sentence of the Apostolic Delegate against him, so that, on April 21, 1911...

[*Latin ed. p. 80*]

80 Acta Apostolicae Sedis — The official commentary states that a petition was presented to the Most Blessed Father so that he might consider the matter. The Most Holy See responded on May 5, 1911. The current controversy is presented under the following questions: I. Does the sentence of the Apostolic Delegate involve a nullity? II. Is Gabriel Dib, about whom mention is made in the aforementioned sentence, truly a member of the Dib family, who founded the monastery of Saidet-el-Haklè and other affiliated monasteries in Afs and Mastita, so that he and others of his family might participate with said family in the patronage of these monasteries in this case? And, to the contrary of the second question: III. Does it pertain to John Dib, father of Gabriel, and to others of his family, any other legitimate

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right of patronage in this case? Furthermore, with regard to the facts, it should be noted that the parties in dispute have not presented documents that would demonstrate the nature of this patronage in the aforementioned monastery of Saidet-el-Haklè, namely, whether it is familial, clan-based, agnatic, or hereditary; how it is exercised; and to whom active or passive rights pertain. The question does not pertain to the monasteries of Mastita and Afs, since it is certain that these were founded by the Dib family, but they are considered as accessories to the principal monastery of Saidet-el-Haklè, from which they, as it were, borrow their rights. Indeed, during the dispute, while it did not appear that the Dib family was in doubt that they had acquired the right of patronage from the original foundation and endowment, a document was presented by Peter Dib himself, which asserts that the origin of this patronage is quite different. Joseph Assaf, the bishop who, during the vacancy of the See of Heliopolis, performed the duties of a vicar, at the request of Alexander Kanaan Dib, uncle of Peter Dib, who is presently before Us, stated: "The land on which the monastery of 'Saidet-el-Haklè' is built belonged to Khouri Assaf, son of Khouri Jean." Then he recounts that he had sons and daughters, "who nevertheless embraced the monastic life," and continues: "The eldest among them was Khouri Joseph, who, together with his sister Rafea, departed to a place 'constituted as a pious endowment by their father. And there they founded a monastery 'under the invocation of the Most Holy Virgin (Saidet), and the aforementioned monastery 'is given the name of Saidet-el-Haklè'." The year in which the foundation was made is not mentioned, but it is stated that superiors from the family of the founder were in charge of the monastery until the time that the superior of said monastery was called to administer another monastery, whereupon, as the witness states: "Then the management of the affairs of the monastery of Saidet-el-Haklè was entrusted 'to one of these monks 'who had the aptitude to fulfill this function. And things remained 'as they were until Boutros, son of Dib, whose family... "

[*Latin ed. p. 81*]

81 The Roman Rota, having borne the family name, entered the monastic habit at the "convent of Saidet-et-Haklè. He excelled in the administration of this "convent. He was superior of the convent of Saidet-el-Haklè, of which he administered the affairs very well for a long time. Then he died. He was succeeded by Moussa, etc....", and here he recounts the succession of superiors, as he recounts today, Peter Dib. But if credence is to be given to this account, no other title or reason for patronage existed in the Dib family, except for the entrusted administration, first to Peter Dib, who diligently performed the entrusted task, and well administered the convent's property, which perhaps increased, as a good father of a family ought to do; but it appears that only in the subsequent time did his nephews acquire the administration. Today, in the most recent document presented by Peter Dib,

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the foundation of the disputed convent is attributed to the El Ehazen family. The intention in considering these matters is not to overturn the very right of patronage that they claim, especially since in the account made by John Dib regarding the origin of his family and the right of patronage, an account which Peter Dib, however, rejected as false, it is truly not the foundation of this monastery that is attributed to the Dib family, but rather its endowment. Furthermore, the Synod of Loaisa claimed the right of patronage for the Dib family, and it is not permissible to call this into doubt.

But from the very account of the matter, it is inferred not only that the certain origin of this right is ignored, but also that the manner in which it should be exercised, the order in which it should be exercised, and the type of persons to whom it pertains, are all hidden. With so many and such obscurities surrounding this very disputed right, it is not surprising that the legitimate method by which patrons have been used in presenting moderators of monastic houses, or procurators established to carry out the administration, fades into darkness. Indeed, as Khoury Joseph Assaf acted, who, through a certain delegation, granted and entrusted the administration of these convents to Boutros Dib (whom the claimants, in agreement, present today as the first procurator established in the convent of Saidet-el-Haklè by right of patronage), he confirmed his successor, Khoury Moussa, his nephew, to whom, already in the year 1779, by an act in which he resigned from his office as procurator, he declared: "We cede our position in the aforementioned convent to our nephew Cas Moussa, who will replace us there." This Cas, or Khoury Moussa, in his turn, by testament on January 1, 1826, ordered: "My paternal uncle, Khoury Boutros, entrusted to me the administration of the convent of Saidet-el-Haklè and of that of Mastita, and of their properties. I, in turn, being of sound mind,..."

[*Latin ed. p. 82*]

82 Acta Apostolicae Sedis - Official Commentary "of body and spirit, this administration to my nephew (son of my brother) "Gas Boutros". It is noteworthy that the will was drawn up by the priest Joseph Assaf, whose grandfather, as has been reported, founded the institution; and he himself affixed his signature. "The priest Joseph Assaf who 'wrote this will, as has been stated'." Was his intervention intended to ensure that the concession of the administration made to the Reverend priest Boutros was considered valid? Nothing can be affirmed, because there are absolutely no documents that would make this hypothesis either probable or exclude it. It should not be overlooked the document of the institution or nomination of the same priest Boutros, which the Archbishop of Heliopolis claims to have granted to him by decree of February 1, 1826. I say "institution" or "nomination," because the Lords have noted that the Archbishop explicitly claims the nomination; whereas, if the matter had been of an institution, he would have confirmed the nomination that had been made. The Archbishop seems to

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claim the nomination for himself, rejecting any interference from others or from Patrons, and this exclusion appears to be directed against the testamentary dispositions issued the previous month of January of the same year, as mentioned above. Thus, this act of nomination is conceived. "The administration of the monasteries of the Religious who are in our diocese *depends on us, and the word to be given in it belongs to us; to 'us alone, we have considered it appropriate to nominate our son Cas Boutros Dib as procurator of the monastery, etc.'" Therefore, in this decree, as in others issued by Ordinaries before the present controversy regarding the nomination of procurators, there is never any mention of presentation, nor is any attention given to what should have proceeded from the Patrons according to the founding documents. But it has already been noted that there is no document in the records referring to the making of a presentation; and it is more serious, the Lords said, that it has not been customary for the Patrons to make a presentation when a procurator is being appointed, at least before the dispute arose. Since the first act of nomination, which clearly establishes the exercise of patronage in a legal form, is contained in the nomination made by several members of the Dib family, namely Faddoul Eliam, Gennadium Dib, who nominate or present John Dib as procurator of the monasteries: this nomination, having been contradicted, has given rise to the present controversy. Another act is found in which the Patrons exercise the right of presentation, namely in the year 1853, on the occasion of the death of Peter Dib, the superior of the monasteries.

[*Latin ed. p. 83*]

The Roman Rota 83 convened to issue a mandate to Elijah Gennadios Dib, instructing him to select a superior on their behalf. However, Peter Dib vehemently contested the validity of this document, claiming it was spurious. Whether this claim is justified, the Lord will determine in due course. Furthermore, the Lords observed that, with a few exceptions, the documents presented by the parties in dispute lacked clear and irrefutable signs of authenticity. These writings, therefore, must be considered among the "private" documents that, of themselves, do not prove anything, unless their authenticity is demonstrated, or, as is said in court, must be proven. Since the services of notaries or public officials were either lacking or not invoked to verify the truth of the writings, at most, they bear private seals with the signature of the person affixing the seal. Indeed, it has often been necessary to require the signature and seal of individuals of high standing or of great repute in the community. But to what purpose does this testimony serve, the Lords inquired? Reiffenstuel, in *De Fide Instrumentorum*, numbers 89-90, considering this type of evidence, states: "Writings or instruments that bear an authentic seal provide full proof. Thus, the text. In chapter % h. t., it is said that an instrument is invalidated if the witnesses named therein have died, unless it was executed by a public

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official or notary... It is, however, important to note the difference between an authentic public seal and a private seal. For public instruments or those bearing a public seal have perpetual validity to the detriment and benefit of both parties... But private instruments or those bearing a private seal are valid only as evidence against those who wrote them, and not to the benefit of others, unless they have been approved by the opposing party." Consequently, in the present dispute, both parties alternately rejected the documents presented by the opposing side, arguing that they were of no value because they were not authentic. It is not easy to initiate an investigation and hold a judicial review regarding the disputed authenticity, especially since, in most cases, we are dealing with private acts bearing private seals and signed by private individuals, and executed at a remote time; therefore, all the elements necessary for a judgment on authenticity seem to be lacking. In this regard, during a hearing before Me on August 7, 1913, the advocate for John Dib, in opposition to the opposing advocate, raised the issue of the authenticity of the documents presented. However, the advocate for John Dib did not request a formal review; rather, the opposing advocate stated that he expressly maintained the objections raised and did not request a review, and affirmed that it would not be in his interest to have one.

[*Latin ed. p. 84*]

8. Acta Apostolicae Sedis – Commentarium Officiale. Tunc, ex officio, decreta est peritia circa documentum editum anno 1854, quo khoury Moussa Dib constituitur conventuum procurator et Gas Hanna Dib, Inspector. De aliis nihil ex officio decernendum erat. Iisdem vero ille valor tribuetur quem merebuntur, omnibus pensatis rerum adiunctis et documentis absolute et relative comparatis. "Videtur ita se cessisse," dixerunt Domini, "synodus praecitata anno 1818 cum edixit, familiae Dib competere ius patronatus, his perpensis: «Abbiamo esattamente esaminata « questa causa (oratoris khoury Moussa Dib) e constatato dai docu« menti che ci sono presentati e dalla fama pubblica e dall'uso con » tinuo . . . Inoltre ci presentò il nostro suddetto figlio l'atto di posses« sione della famiglia Dib del convento di Mastita fatto dal principe « Giuseppe». Quamobrem Synodo suam sententiam non satis persuasissent scripta documenta nisi praesto fuisset et publica fama et usus continuus et actualis possessio. Hanc regulam et nos praestituere debemus, Domini dixerunt, nostrae sententiae, cum scripta documenta certe non sufficiant. Forsan exhibita elementa probationum non erunt adeo perspicua et certa ut veritas omnimode et tute attingatur, ut contigit synodo Loazeni, quae affirmavit familiam Dib a fundatione conventus Saidet-el-Haklè iuspatronatus exercuisse, cum hodie e documentis hoc videtur erui et non inficiatur hodie eadem familia Dib, nonnisi progressu temporis, aliis titulis familiam istud esse assecutam. Sed inde seu ex eiusmodi argumentis cumulative sumptis ea desumitur

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certitudo moralis et relativa quae in eiusmodi negociis sufficiens est ad edendam sententiam quaestionis resolutivam. Hisce prenotatis, modo ad dubiorum solutionem deveniendum est, quorum primum quaerit: An constet de nullitate sententiae Delegati Apostolici in casu? Et sententiam nullitatis vitio laborare contendunt procuratores Petri Dib: a) quia non fuerunt citati ii quorum intererat sua iura coram iudicem tueri; b) quia Delegatus Apostolicus solus sententiam pronunciavit, cum S. G. de Prop. Fide ei adiunxisset duos assessores; c) quia ii qui adversabantur instantiae Ioannis Dib copiam non habuerunt sua documenta exhibendi, prout ius postulat, nec cognoscendi ea quae adversarius deduxerat. Ad primum caput exceptionis quod attinet, Domini dixerunt, recolendum esse, defectum citationis reapse haberi substantialem etiam apud S. Rotam, quae solemne usque habuit nullum aliud vitium inducere.

[*Latin ed. p. 85*]

The Roman Rota, in case number 85, declares that nullity in legal proceedings cannot be established, unless it arises from a defect in the citation, mandate, or jurisdiction. Indeed, other grounds for nullity may be alleged, but these are not considered unless a specific law is introduced that establishes them, or a decree, or a legitimate agreement that establishes something under the condition of nullity. Furthermore, from the records, it is not clear what form of citation was used, or whether the judge truly summoned all those with an interest in the matter. However, both parties acknowledge, and it is undisputed, that Alexander Dib was cited, either in person or by a general edict. Alexander Dib, who appeared before the Apostolic Delegation as a legal representative and advocate for the Dib family, claiming descent from Elias Dib. Because the Apostolic Delegate had determined that not all members of this family were opposed to John Dib, he concluded that Alexander Dib was either solely an opponent from the other side, or certainly acting on behalf of others; therefore, he expresses his surprise that Alexander was not provided with any written authorization, from which he infers that Alexander is only an opponent, and he subtly argues that this silence favors John Dib, to whom even the presumed opponents were favorable. However, this surprise would not have arisen if the Apostolic Delegate had issued a citation specifically to Alexander, and not rather cited all those with an interest in the matter through the customary general edict. The Sacred Rota, in this matter, has followed these rules: a citation is not required for the validity of a judgment if it is omitted when those who should have been cited had certain knowledge of the legal proceedings, and this knowledge was apparent to the judge, and it cannot be doubted based on probable indications and conjectures; thus, in decree 466, number 73 and following, part XIX, volume II. Recently, and in the case of Dunozet senior, decree 89, number 5, and in the case of Ubaldo, decree 450, number 11, and decree 685, number 1%. This rule is even more

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valid if the person who was already cited is one who is presumed to be the representative of others; this is derived from decree 357, number %, part III. Recently, and in another decree among the Recent decrees, namely 19, number 4-5, part VIII, where the rule is affirmed that a citation expedited against one of the brothers or confreres is sufficient, when this person has a presumed mandate. In our case, since the dispute between the parties was being conducted with considerable animosity, and the issue was long-standing, the judge was justified in presuming that Alexander was acting on behalf of other opposing members of the family, and he did not believe that these others were present, since he did not see them with any express authorization. Therefore, the Lords, after considering these rules and the attached facts, have determined that nullity cannot be argued on this basis.

[*Latin ed. p. 86*]

86 Acta Apostolicae Sedis - Commentarium Officiale. It cannot be inferred from another section that the sentence is null, nor that there is a defect of jurisdiction in the Apostolic Delegate who was to judge, not as a single judge, but as a collegiate judge. Indeed, the Holy Congregation, when granting him these powers, ordered that he should proceed according to the proper legal procedures, and ordered the establishment of a tribunal, with two assessors appointed. It must truly be said that the decree and order to establish a tribunal are superfluous, unless the delegating authority intended to add assessors, as judges with a deliberative vote. Furthermore, the Apostolic Delegate is, by common law, considered among the ordinary judges. This conclusion is urged by Petrus Dib, in order to argue that the sentence suffers from nullity, because, in truth, the Delegate alone pronounced the sentence, signing it in his own name and alone. This conclusion, although based on a seemingly plausible foundation of law, the Lords have judged to be untenable; however, it is subject to an exception, namely, that the Delegate did not state that the assessors were to have a deliberative vote, although they could participate in the judgment with a consultative vote. And since an act, once established, must be considered valid until the contrary is clearly demonstrated, and this has not been demonstrated by the opponent, it should also be maintained, based on this fundamental principle, that the sentence is valid; all the more so because it cannot be absolutely excluded from the records that the Delegate received from the delegating authority a clear indication that it was sufficient to include the assessors with a consultative vote.

However, it is not necessary to resort to this indirect solution of the issue, since the records contain the vote of both assessors, and this vote is in conformity with the sentence pronounced by the Delegate, and it is presumed that he would not have pronounced it in this way if the votes of the assessors had been contrary. Furthermore, the very text of the sentence indicates that the Delegate intended to comply with the decree of

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the Holy Congregation and to consider the assessors as judges; indeed, the Apostolic Delegate states, at the beginning of the sentence: "We have constituted an ecclesiastical tribunal in order to examine and judge the dispute in question." The third argument presented to assert the nullity of the sentence is much weaker. Alexander Dib, in a pamphlet addressed to the Holy Congregation of the Propagation of the Faith, dated September 2nd, and now insisted upon by Petrus Dib, argues that the sentence cannot be considered a judicial one, or that it does not have the power to resolve the issue before the judge, because Alexander Dib did not obtain the opportunity to know the arguments presented by his opponent, and therefore to refute them, even with new evidence. However, the Lords have noted, against this exception, that the very sentence of the Delegate states: "after both parties have declared in writing that they have no further evidence."

[*Latin ed. p. 87*]

The Roman Rota [of Judges] states "that those already paid by them to the process" must be produced; Alexander denies this, claiming: "Indeed, we did not say this at all, neither verbally nor in writing." This denial does not merit credence, since the judge's assertion, made at a time not suspected, provides full certainty of the contrary; but this false assertion detracts from the credibility of the defendant, since he protests that he requested from the judge "to be given knowledge of the evidence of the opposing party, so that we may know what is demanded of us and what must be done in this regard, since until now nothing has been communicated to us"; and the judge did not respond to the request. But at least in part, this is not in accordance with the truth, as Dib himself admits, who a little earlier narrated: "The Apostolic Delegation communicated to us only a copy of the refutation of our aforementioned collection," or of the evidence presented by us. But how can these be refuted, if they consist entirely of the same facts, unless contrary testimonies are presented? Therefore, from the response, the opposing party could already know its own arguments. Moreover, since the entire matter has lasted for several years in its instructional period, as Alexander Dib himself states, who can believe that, in the meantime, the opposing parties did not know each other's arguments, especially since it concerned domestic affairs? Furthermore, the question of law is whether a judgment can be upheld in which the judge does not announce to one party the documents presented by the opposing party; and the Doctors agree on this, as Pellegrini teaches (Prax. civ., part. II, subsect. II), that publication is not of the essentials of the judgment, or rather, that without publication, the nature of the judgment is not violated, because the evidence and all documents are generally presented to the judge so that he may ascertain the truth; but they are announced to the opposing party so that he may defend himself, and in this sense, publication is said to be of the essentials of the process; therefore, if one party requests the

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publication of the opposing party's evidence and this is denied, it has the right to appeal to a higher judge, and, unless the lower judge demonstrates that he denied publication for probable reasons, he must order it to be done. But, by itself, the denial of publication does not render the process null. See c. fraternitatis, 17, regarding testimony, and this rule is emphasized by the Austrian Instruction, §§ 164, 226, and 230. Therefore, today, the exception of nullity cannot be invoked in any way, since this issue was not raised by an incidental petition and by an appeal, and Alexander Dib, at a timely moment, before the final judgment was reached. If, however, it were believed that he was indeed denied knowledge of all the opposing party's evidence, perhaps the Delegate Judge considered that the defendant, based on what he had already said, could sufficiently defend himself; and he did not want to present each individual opposing document because...

[*Latin ed. p. 88*]

88 Acta Apostolicae Sedis. - A formal commentary indicates that new evidence could easily be obtained from those who oppose, although the judge might have had little confidence in the reliability of such evidence. Therefore, the nullity of the sentence issued by the delegated judge has not been conclusively proven, and the Lords have declared that it should be considered valid and binding. However, the pontifical commission has instructed us to determine whether, even if this evidence is deemed valid, the sentence should nevertheless be annulled, as it may be less just or not sufficiently supported by solid evidence. There is a sharp disagreement regarding the status to be attributed to each of the parties involved, as each claims a favorable position in the matter and rejects the burden of proof placed upon the other. The question must be resolved on a point of law, as the facts have already been explained. In the judgment before the Apostolic Delegate, John Dib and his father were the plaintiffs: Alexander Dib, and his family, represented the parties involved in the lawsuit. Today, Peter Dib claims these same rights, defending and asserting the rights of Alexander and his family, adhering to the rule that the plaintiff in a lawsuit retains the status of plaintiff even when appealing. This rule is established by De Luca, de lud., disp. 4, n. 54, and is recognized by our jurisprudence, as was seen in Florence before Me on May 5, 1913. However, our case is different, because today we are not dealing with an appeal, but with a judgment of revision, ordered by the pontifical commission. Furthermore, John Dib benefits from the judgment and the possession he obtained as a result of the judgment. Therefore, from this point of view, John Dib enjoys the favorable position of a possessor, and Peter Dib has brought this matter before this court, and is therefore the plaintiff in this judgment. But does this resolve the matter? Further consideration is needed, because the current action does not involve an ordinary appeal, either of the first or second instance: but rather, it is a judgment of revision, in which the question is whether

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the sentence of the Apostolic Delegate was just and whether it should be confirmed, taking into account also new evidence presented. Therefore, in our case, it is not very relevant to consider who bears the burden of proof today, because the question is whether the sentence, especially considering the newly presented evidence, should be considered just. Therefore, the sentence of the Apostolic Delegate must be examined, and if it is proven that it correctly asserted the right that truly belongs to John Dib, it must be confirmed. This judge first considers that the issue of legal guardianship belonging to the Dib family is beyond dispute, according to the decree of the Synod of Loaisa, and the question is whether John Dib is a member of this family. Then, it is asserted that the documents presented do not conclusively prove that the ancestors of Gabriel and John Dib, bearing that surname, were indeed citizens of that place.

[*Latin ed. p. 89*]

89 The Roman Rota has existed for ninety years and more; therefore, this surname can be said to be familiar, and this family cannot be excluded from the practice of law on this account. This consideration was in every way opposed by the adversary, but he was finally forced to concede that this could be so, because, indeed, several families in the Lebanon use this surname, but they are clearly distinct from the Dib family engaged in the practice of law. The Archbishop Anthony EI Ehazen also recognizes that the surname Dib cannot be denied to the family of John Dib, as evidenced in letters published in the most recent summary by Peter Dib. As for the connection of the family of John Dib with the family of Peter Dib, the opinion of the Delegate invoked numerous documents in which members of both families address each other with terms indicating a closer relationship, such as grandfather, uncle, and cousin. But the adversary of John Dib argues that this proves nothing, because in the East, especially, these appellations do not signify blood relationship but friendship. However, this objection does not invalidate the opposing argument, because these appellations are not only used in letters signifying familiarity and friendship, but also in contracts and bills of exchange, where the meaning of words is strictly observed, and individuals are carefully distinguished by surnames and by the degree of affinity or relationship, so that there is no ambiguity. Furthermore, since Peter Dib presents documents with which he seeks to prove that, from the first half of the last century, relations between the two families have been established, because the ancestors of John Dib dared to claim rights derived from patronage, and this surname Dib was also attributed to them, these appellations cannot refer to the meaning of friendship and benevolence, especially since these were affirmed when others vehemently denied it. To these indirect arguments, explicit testimonies must be added, and among these, the testimony given on October 21, 1862, by James Hadï, father of Patriarch John Hadï, in these terms, holds a prominent place: "The fact

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that your ancestors, as indicated in your letter, have held these 'positions is well known, and your parents do not deny it." In the letters given by Patriarch John Hadï on June 4, 1897, which Peter Dib presents and which may be invoked in favor of his case, the son explains the father's testimony in this way: "With all due respect to our father, we do not see that this document should be taken into consideration or used as evidence. Indeed, since our father was not required to give an official response, he did not seek to provide an exact and precise testimony. However, he only said... that they 'are relatives'... It is possible that the parties involved are united by..."

[*Latin ed. p. 90*]

90 Acta Apostolicae Sedis. - Commentarium Officiale: "either by a bond of alliance or by a kinship prior to the time of 'Dib, a branch of the genealogy in question. But this kinship does not allow the actor to have a share in the right of patronage." Therefore, it is not denied that two families are joined by blood kinship from the same root, and even today, the adversaries of John Dib do not deny this, but they flatly deny that he and his family can claim the right of patronage: because, although it is admitted that they are related, their kinship does not originate from him who acquired the right of patronage for the Dib family, and who only transmitted these rights to his descendants, excluding other relatives, or, in general, the family of John Dib, which was not included in his direct descendants. Thus, in legal terms, this is the thesis proposed by the adversaries of John Dib. But first, the documents on which these assertions of patronage are based must be examined and substantiated. As for the right of patronage itself, if we consider the testimony of Joseph Assaf, a vicarious of the Heliopolitan capitular church from the years 1858 to 1861, it was acquired by his ancestors through the foundation of the Saidet-el-Haklè monastery, the administration of which was granted to the priest Peter Dib (Cas Boutros). "He administered the affairs very well for a long period of time," Joseph Assaf recounts in a letter given to Alexander Kanaan Dib on March 9, 1912, "Then he died. He was succeeded by his nephew, the priest Moussa... after him, Cas Boutros... the nephew of Cas Boutros took over from the latter. But this priest Moussa was dismissed; and since there was no unmarried priest of their family to whom to entrust the functions of superior according to ecclesiastical laws, it was necessary to entrust the administration of the monastery to your deceased father... he remained in these functions for a certain time," until the Heliopolitan Archbishop John Hadi was removed from office, and then became Patriarch; who, as Joseph Assaf himself reports, since there were no episcopal residences in the diocese, he established his residence in the monastery, which was subsequently maintained by his current successor, the Archbishop Mourad, until Gabriel and his son John Dib initiated the current dispute, and John Dib obtained possession of the administration

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of the monastery, having obtained a favorable judgment in the court of the Apostolic Delegate. This is the history and origin of the right of patronage in the Dib family, which Peter Dib, the current opponent of John Dib, affirms to be a true account. In the most recent summary presented by Peter Dib, there is a letter in which the Heliopolitan Archbishop Anthony EI Khazen wrote to his cousin, the Archbishop of Damascus, on November 30, 1852, as follows:

[*Latin ed. p. 91*]

The Roman Rota, in case number 91, was examining the claim of Gas Hanna, uncle of Gabriel Dib, who asserted rights concerning a disputed patronage. "We now respond to you, as we have already made it sufficiently clear that there is no place for interference in this matter. For if one were to officially enter into the affairs of the convent of Saidet-el-Haklè, the greatest right would belong to His Beatitude (Joseph El Khazen), because he was the last superior, and he is of the rightful lineage and of the original founder." Therefore, in this document presented to Peter Dib, a new origin of the disputed patronage is reported, pertaining to another family, or the El Khazen family, to whom the archbishop asserts "the greatest right belongs," and hence, to the exclusion of the Dib family. From what John Dib states in the document that his adversary, Peter Dib, repudiates, the origin of his patronage in the Dib family would have some basis in donations made to the convent, and perhaps in the construction of the church of the convent of Saidet-el-Haklè, in which Peter Dib, as the first procurator chosen from this family, worked diligently. However, whether these donations could be considered "pious legacies" that would enhance the endowment, and whether the care, labor, and concerns that Peter Dib devoted to the construction of the church could be equated with a contribution to the construction, is equally doubtful, so that, even if the document were uncontested, a certain title of patronage could not be obtained from it. The Synod of Loaisa reports that documents of foundation were presented, but it does not distinguish whether these documents refer to the two later convents. Furthermore, these documents are not, of themselves, sufficient proof, because the synod also refers to public opinion and usage. Therefore, the Lords have stated that a certain argument cannot be derived except from usage or prescription: what, however, the Dib family has obtained through prescription and usage, must be measured according to the common law: Reiff., De iurep., n. 15. - Prescription in this matter, as in others, is based primarily on possession or quasi-possession of the right: because, as rule three in VI states, "without possession, prescription does not run." And this is all that needs to be inquired into, since more than a century has passed since the Dib family has used this right; therefore, a title need not be presented, and a better title is presumed to exist in the world, as affirmed in decisions 680, n. 31, part XIX, volume I; decision 90, n. 14, part XII; deci-

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sion 290, n. 12, part XVIII, volume I. Recently, and in accordance with the common teaching of Reiff., De iurepat., n. 15, and Pirhing, in the same title, n. 118. Therefore, we should inquire much less about the good faith that is presumed, which is much easier to establish than a title: decision 181, n. 2, part II, recently. But quasi-possession must concern the right that is being prescribed, according to the following.

[*Latin ed. p. 92*]

92 Acta Apostolicae Sedis. - Official Commentary, concerning "only that which is prescribed, as that which is possessed." The right of patronage principally consists in the right of presentation, as Reiff states, in his work, vol. 3, and as the Synod of Loaisa affirms; and the jurisprudence of the Sacred Congregation has always held that the right of patronage can be proven not only by instruments, but also by subsequent presentations made in accordance with the mandate, from which a prescription arises; Decree 169, n. 16, part XVIII, Recent. In this matter, a delicate question arises. From the mass of documents presented in the Summaries, not a single word is found concerning presentations made in accordance with the law, namely, whether a certain family, or several families, or certain individuals, exercising this right, made the presentations. Two documents are available. The first consists of a mandate given by Eliae Gennadios Dib by those representing both families, to present the procurator of the convent in their name. But against this document, Peter Dib raised an objection of falsity, because both the sentence of the Apostolic Delegate and the votes of the assessors refer this mandate to the time of the death of Khoury Moussa I, who died in the year 1826; whereas, on the contrary, the document presented today bears the date of October 22, 1852. Therefore, the opponent argues that the person who presented the document previously was unaware of the will by which Moussa Dib established: "I, in turn, entrust this 'administration (which I received from my grandfather by will) to my 'nephew Gas Boutros'." And this administration was, in fact, received by the Archbishop. However, the assessors, in their vote, call this document authentic; therefore, John Dib attributes the error to the judges who wrote the name Moussa instead of Boutros in the decision. This explanation seems entirely probable, if we assume that the Apostolic Delegate previously requested the vote of the assessors, and that, based on their vote, the judges made an error. In summary, the objection of falsity is not such as to destroy the validity of the disputed document, but it certainly weakens it, especially considering the circumstances of the case and the numerous other objections raised by both sides, which cannot be said to be entirely without foundation. The second document is the presentation made by John Dib, which the people of both families made in the year 1890. But later, this presentation was retracted, and then the retraction of the retraction, and this retraction, the opponent,

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Peter Dib, claims, is contained in a false document. What follows from this? To whom should credence be given? Because the presentation was retracted, alleging ignorance of the matter or fact: certainly, this allegation is somewhat improbable, since, although the presenter resided in Egypt,

[*Latin ed. p. 93*]

The Roman Rota, being located ninety-three miles from the town of Aversa, nevertheless, the matter in question concerns this ancient and heated family dispute; hence, ignorance is poorly presumed. However, after subsequent pleadings and counter-pleadings, it becomes clear that little credence should be given to documents, and that one should adhere to certain facts. Nevertheless, the presentation is a factual event; the alleged ignorance of the matter is not entirely probable from the statements made. Therefore, on the point of law, the Lords have stated that, in order to establish prescription, either no presentations made should be counted, or that the two presentations in favor of John Dib should be accepted. Indeed, if not certain proof, some support, or indication, is presented, it does not seem unreasonable to deny it, and therefore, from this point of view, conjectures and indications favor John Dib. His adversary, Peter, invokes a long-standing fact, namely, a possession of over a century of patronage, which his ancestors have enjoyed without contradiction, up to the death of the procurator Cas Boutros in the year 1653. But this concerns passive patronage, and not active patronage, which consists in the presentation, and which is like the substance of this right. For while John adduces one and another document of subsequent presentations, Peter does not exhibit even one, impugning the documents presented by the opposing party as false and fabricated. However, the passive patronage possessed by the ancestors of Peter Dib does not allow one to infer that the active right was exercised only by the ancestors of Peter himself, to the exclusion of people from another family of the Dib name; as is considered in dec. 49, n. 18, part. IV, vol. II, Rec., namely, that passive patronage and the right of presentation, or active patronage, are distinguished in such a way that [one does not determine the other; however, sometimes, or when the wording of the foundation does not prevent it, a deduction can be made from the active to the passive, because, at the very least, the passive is contained in the greater, or active. Decis. cit. 49, n. 19, but as is evident from the reasoning presented, the active cannot be inferred from the passive, dec. 361, n. 20, part. IV, vol. II, and dec. 84, n. 2, part. IV, vol. II, Rec. In addition, the Lords have stated that the Synod of Loaisa has awarded the active patronage to the family of Dib, "to present" to the Ordinary those persons suitable to be entrusted with the administration of these convents," therefore, no mention is made of passive patronage in the family of Dib when it speaks only of "persons suitable." But, in the absence of documents, or when it is not established that subsequent presentations

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were made, the patronage can also be proven by public reputation; as established in dec. 149, n. 6, part. XVIII, n. 1, and dec. 530, num. 6, part. IV, vol. III, Rec.

[*Latin ed. p. 94*]

94 Acta Apostolicae Sedis. - Commentarium Officiale. Men of the family of Peter Dib invoke this [claim], presenting, above all, testimonies; and the jurisprudence of the Holy See holds that such a reputation, joined with the possession of the passive right of patronage, is sufficient to prove the same. This is demonstrated in countless decrees of the Order, such as in the decision 235, n. 2, part. II, and in the decision 299, n. 11, part. XVI, of the Recueil. However, this reputation does not pertain only to the family of Peter Dib: but also to the family of John, as demonstrated by the sentence of the Apostolic Delegate; and the witnesses brought forth by him, whether they are of knowledge, or inhabitants [of the place] Delepta, or foreigners, are grave and constituted persons, and they give testimony. But John Dib invokes not only reputation, but also a fact, which itself demonstrates that the passive right was not possessed solely by men of the family of Peter. And indeed, this is confirmed by the patrons of Peter Dib through the history of Father Goudard, S.J., in which, however, on page 204, the following is read: "One finds in the convent of Saidet-el-Haklè about twenty religious women 'under the wise direction of Father Jean Dib, a descendant of the ancient 'founders'." Therefore, since it is not certainly known who the founder of the monastery was, it is entirely useless to inquire whether these or those descend directly from the founder, especially because it is impossible in Lebanon to obtain a genealogical tree that is supported by solid documents. However, certain important facts indicate this, the Lords having observed that the facts must not be considered individually, but jointly, because what is not proven individually is supported by what is joined together. 1) Five patriarchs, several bishops, and the Reverend Joseph Rizk (who passed away in the year 1850, at the age of 80), testify with no doubt that Gabriel also had the right of patronage over the monastery of Saidet-el-Haklè. And nothing is proven that contradicts these testimonies, either in general or in particular, that the patrons of Peter write in their observations. Indeed, it is unheard of in law to deny the credibility of authentic letters and testimonies, whether because their authors are not of the diocese of Heliopolis, or because they did not confirm under oath in court what they have written. 2) On January 17, 1827, Gas Boutros Dib (on behalf of Peter) offered to John Dib (Gas Hanna, of the family of Gabriel) the office of superior over the monastery of Saidet-el-Haklè. Whether Gas Anna accepted or refused this office, we do not know. What is certain is that in the year 1841, he himself was the superior of the convent of Mastitae, which belongs to the monastery of Saidet-el-Haklè by right of property, as is evident from the

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letter of Patriarch Joseph Habeyche of August 17, 1841.

[*Latin ed. p. 95*]

Saint Boman, Bota, 95, 3) On the twelfth day of October, 1855, Peter Dib (not Moses, as Duval erroneously wrote), superior of the convent of Saidet-el-Haklè, the Archbishop of Heliopolis, Anthony EI Khazen, who participated in the Council of Loaisa in the year 1818, and who recognized the patronage of the Dib family, learned of the state of the aforementioned convent from Cas Hanna, to whom he replied: "Concerning the aforementioned convent, we leave everything in its present state until the arrival of the Patriarch in these places." Meanwhile, discord arose between the descendants of Peter and the descendants of John concerning the designation of a new superior in the monastery of Saidet-el-Haklè: "The disagreement is between our entire family, the house of Dib from the village of Delepta, because we are all of one and the same lineage, of one and the same ancestor, whose name is Dib." And on the twenty-second day of October, 1853, by a convention, signed by three from the family of John and four from the family of Peter, as well as by three witnesses, it was ordered that the common uncle, Elias, son of Gennadios Dib, should choose the superior he wished. However, the records do not indicate the reason why the aforementioned agreement was not put into effect. Therefore, the aforementioned Archbishop EI Khazen, on the twelfth day of August, 1854, summoned Cas Hanna and Moussa from both families, "because the affairs of the convent of Saidet-el-Haklè are in a state of distress, either spiritually or temporally." Then, the same Archbishop, together with Patriarch Joseph El Khazen, ordered two priests, Joseph Hagi EI Khazen, the Patriarch's nephew, and Kahn Bey El Khazen, to reconcile the dissenting parties and to bring about a resolution in the monasteries of Saedat and Besciara, according to the manner indicated by the Patriarch in his letter of August 21, 1854. Indeed, it was decided, with the consent of both parties, "that the three aforementioned convents and their patronage over them are of equal standing among themselves, without distinction, that is to say, that Father John (Cas Hanna, superior of Mastita) and the aforementioned Father Moussa, superiors of the convent of Saidet-el-Haklè, shall be partners in the administration, and that Father Arsenios (nephew of Cas Hanna) shall be in the place of his uncle, the superior in the convent of Saidet-el-Haklè." This new arrangement was approved by the Patriarch and the Archbishop of Heliopolis, who, by order of the same Patriarch, issued a decree of nomination on September 15, 1854, in which it is written: "We constitute our son, the priest Moussa Dib, as procurator of the convent of Saidet-el-Haklè and of the foundations that depend on it. Furthermore, we constitute with him as Inspector over the aforementioned convent our son, Cas Hanna Dib, his associate in deliberation and administration in the affairs of the aforementioned convent and concerning its prosperity; and

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he shall do nothing of this without his opinion."

[*Latin ed. p. 96*]

96 Acta Apostolicae Sedis. - Commentarium Officiale. The Lords judged that it should not be said that it is unusual, with patrons of Saint Peter, that, when administrators are lacking in ability, outsiders are appointed by those who enjoy the right of passive patronage. Indeed, on the one hand, it must be said that Gas Hanna was appointed, because he was also a patron of the monasteries; on the other hand, it cannot be said that Moussa was an inexperienced and incompetent administrator: for on September 19, 1854, Anthony EI Khazen, Bishop of Heliopolis, wrote to the nuns of the monastery of Saidet-el-Haklè: "We have appointed the priest Moussa Dib as procurator of the aforementioned convent, and this after having obtained information about his ability for this position." And if in this letter or appointment the Bishop does not mention the inspector Gas Hanna, it may have happened because Moussa only required this recommendation, or for another reason: which certainly does not detract from the value of the document concerning the appointment of Gas Hanna, of which we shall speak further below. 4) Gas Hanna, suffering from illness, before Moussa, Gabriel, Arsenios, and the distinguished man Sciek Dahas Anton Dahdah, gave to Kanaan Dib (grandfather of Peter) the sum of 60 scudi for the construction of a hydraulic machine (artesian well) in a field belonging to the convent of Mastitae, with the condition that "if Providence preserves Father Johanna (Gas Hanna), he himself will administer the construction of the well under his supervision. But if Providence takes Father Johanna, then he requests that this task be entrusted to the consciences of Father Gabriel (on behalf of John) and of Kanaan (on behalf of Peter) to carry out the construction of the well." From these facts, it is evident that: a) Kanaan and Gabriel were not appointed by the inspector Gas Hanna as builders of the machine, nor were they designated as contractors (undertakers) of the same machine, as the defenders of Peter write in their first defense; b) Gabriel and Kanaan Dib, being patrons of both families, if Gas Hanna had been taken from this life, they would have had to exercise that care and vigilance which Gas Hanna himself would have exercised if he had lived. 5) In the year 1852, Kanaan Dib, Peter's grandfather, laid the cornerstone in the church of the monastery of Afs, which was under the patronage, without the consent and authority of the patrons of the other family, Arsenius Dib, nephew of Gabriel, was transferred by the Patriarch Peter Paul Mossaad from the convent of Mastitae to another in Afs, and on Sunday publicly removed the cornerstone, with no one objecting. These facts were noted among others which the Lords considered superfluous to mention, because they have sufficiently shown that Gabriel and his family exercised their patronage. They only noted, in addition to what has already been mentioned, concerning the decree by which Anthony EI Khazen, Archbishop

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of Heliopolis, on September 15, 1854, appointed the priest Moussa Dib as procurator of the convent.

[*Latin ed. p. 97*]

On the 9th of Boman Bota, the aforementioned, and also John Dib, of the family of John Dib, were appointed as inspectors in these matters: "With him in the aforementioned convent, and co-associated with him in deliberation and the administration of the affairs of the convent... Furthermore, they must direct all their efforts to ensure that the conduct of the religious is in accordance with the rule, etc." Therefore, the name "inspector" signifies that John Dib was entrusted with the administration of the convent, although not solely to him, but together with Moussa Dib. But this is made clearer by the context in which it is said that he was appointed as a partner in the administration, and that both he and Moussa Dib were to be held accountable for it, and to render an account to the Archbishop. Therefore, the difference in the name does not pertain to the office or authority, and it is for this reason that the question is framed as it is. Regarding this matter, two documents were published in recent days, signed by this Archbishop Anthony El Khazen, the first of which was issued in December 1850 and publicly announced to refute the petition of the family of John Dib, who were then also claiming this right of patronage; indeed, "their claim is contrary to the truth." The second was signed on November 30, 1852, in which a private letter rejects the request of the family of Gas Hanna, or John Dib, regarding the disputed right of patronage. On the contrary, it is said that in September 1854, the same Archbishop appointed Gas Hanna as inspector of the convent; but if he had no right, how could he be entrusted with this mandate, which has been shown to be truly administrative? Therefore, it is not irrelevant to consider and infer that Gas Hanna and his parents have presented so many and such documents, that they have removed the Archbishop's former conviction. If, on the contrary, it is noted that the Archbishop's intention was to confer not a procuration but an inspection, because he knew that this was not a disputed procuration but a disputed right of patronage, it must be said that the Archbishop used such words in conferring the inspection so that it would contain the true power of administration, limited only by the need to deliberate on these matters with the procurator Moussa. Furthermore, so many and such objections were raised against these documents, both regarding the time of their presentation and regarding their substance and form, that these difficulties could not be overcome, so that these documents are certainly not superior to all objections, and no decision can be based on them. Therefore, not even a single clear and certain argument is presented by Peter Dib to exclude the

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claim of John Dib, and while...

[*Latin ed. p. 98*]

Acts of the Apostolic See. - Official Commentary 98 proves that it and its family enjoy this right, and it cannot exclude another from it. However, John Dib has presented many and solid arguments, and although none of these can be taken as full proof, they nevertheless, when joined together and considered, produce moral certainty: decision 139, paragraph 17, part XVII, recent. Furthermore, the Lords noted that, according to the assertion of Peter Dib, Gas Boutros Dib was the first possessor of this right, and that he had a wife and children; therefore, his relatives were to be called to this succession, and indeed, the Synod of Loaisa speaks in general terms about the Dib family. With these things admitted, access is easily opened to the family of John Dib, which, since it already has documented proofs and conjectures in its favor, has been rightfully admitted by the Apostolic Delegate to participate in this right. Therefore, having considered and weighed all these things, We, the Lords sitting as judges for the tribunal, and having only God before our eyes, invoking the name of Christ, declare and definitively pronounce our judgment, answering the proposed questions: To the first, No; to the second, Yes, with the exception made to the title of foundation, as explained in the decision; to the third, as provided in the second: We declare the judicial expenses to be compensated between the parties, and We order that they be considered as compensated; however, We reserve to Ourselves the settlement of these expenses, including the fees of the lawyers, and We entrust the completion of this settlement to the Reverend Lord Ponens. Thus We pronounce, ordering the Ordinaries of the places and the officials of the tribunals to whom it pertains to enforce this Our definitive judgment, and to proceed against those who resist, according to the norms of the sacred Canons, especially chapter 3, session XXV, concerning reform, using the executive and coercive means that will be most effective and appropriate for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 22nd of November, 1913. M. Lega, Dean, Ponens. G. Sebastianeiii. S. Many. L. & S. From the Chancery, on the 9th of January, 1913. T. Tani, Notary.

[*Latin ed. p. 99*]

99. SECRETARIA STATUS. LETTERA. I. AL R. P. BELLINO CARRARA, S.I., IL QUALE HA PRESENTATO AL BENISSIMO PADRE UN OPUSCOLO SULLA QUESTIONE GALILEANA, COME SEGNO DI FEDELE DEVOTIONE.

Reverendo Padre, sebbene altri e illustri critici abbiano già offerto le dovute difese della Chiesa nella celebre questione Galileiana, è tuttavia ritenuto estremamente opportuno lo studio con il quale Vostra Santità ha voluto tornare su questo argomento delicato. Ella lo esamina dal punto

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di vista storico; e le prove che adduce a sostegno della sua tesi sono certamente tali che, da un lato, mostrano la Chiesa come zelante custode di quel sacro deposito che le è stato affidato nei libri santi, e dall'altro, la rivelano come è in realtà e come sempre è stata, una sincera e prudente amica della verità.

Questo è il pensiero che il Santo Padre si degnava di comunicarmi quando mi affidava il compito di trasmetterle la sua apostolica benedizione e di esprimerle i suoi augusti ringraziamenti per la copia di detta monografia inviatagli in devoto omaggio; e nell'eseguirlo, approfitto volentieri di questa occasione per esprimerle, insieme alle mie congratulazioni, i miei sentimenti di gratitudine e per dichiararmi con distinta stima, Vostro Reverendo.

Dal Vaticano, 6 dicembre 1913.

Con affetto nel Signore,

R. CARD. MERRY DEL VAL.

[*Latin ed. p. 100*]

100 Acta Apostolicae Sedis - Official Commentary. HIS MOST EM. AND REV. LORD, MY MOST REVEREND, In response to the esteemed letter which Your Eminence sent to me on the 14th of this month, I have the pleasure of informing Your Eminence that the Holy Father, from this very day, accompanies with his best wishes the Synod which Your Eminence intends to celebrate shortly. It is certainly most praiseworthy that the intention is to address, within it, in a special manner, the most holy Eucharist, in order to awaken and ever more strengthen in all the faith and love of Jesus in the Sacrament. But it certainly cannot escape the understanding of Your Eminence: how much the warm and zealous words of the priesthood, supported by the example of a Eucharistic life, will benefit this purpose. Therefore, the clergy, its sound culture, the obedience due from it to authority, its exemplary life, the diligent exercise of the sacred ministry, these are what His Holiness desires, that, together with the most holy Eucharist, they hold a place of honor among the works of the future Milanese Synod. And so that this desire, which is also the fervent desire of Your Eminence, may be fulfilled with the greatest possible fruit, the august Pontiff sends to Your Eminence, to all those who will participate in the Synod, and to all the faithful of this archdiocese, the apostolic blessing, as a pledge of heavenly graces. I humbly kiss Your hands and, with feelings of profound veneration, I gladly reaffirm my devotion to Your Eminence. Rome, 28th of January, 1914. Your most humble and devoted servant, R. CARD. MERRY

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DEL VAL.

[*Latin ed. p. 101*]

To the Most Illustrious Man, René Bazin, Member of the French Academy, who, as a demonstration of devotion, presented to the Most Blessed Father, the Reverend [Pope] Pius X, a copy of the exemplary discourse composed by him concerning the "Prix de Vertu" awards, commonly known as "Prizes for Virtue," granted by the aforementioned Academy,

Sir,

The Holy Father, Pope Pius X, paternally moved by the tribute in your discourse concerning the Prizes for Virtue, awarded by the French Academy in 1913, has charged me to express his gratitude and congratulations to you. The Supreme Pontiff applauds the noble and Christian thought that you had of tracing the love of men for one another back to its source, and of placing at such a height the ultimate cause of the holy energies that redeem souls. As you eloquently state, these souls have been influenced by the baptism of France, and they have revealed, clearly or faintly, the image of the Master who brought charity to the earth, and to whom you have joyfully rendered homage before this assembly of the elite. The Holy Father is pleased to congratulate you on illuminating and strengthening your beautiful talent with the Christian spirit, a fundamental characteristic of your great literary age, a glorious mark of French letters at their zenith, since humanity seen in Christ and through Christ is one of the profound traits of the literature immortalized by Bossuet, Fénelon, Corneille, and Racine. Once again, you have demonstrated that the religious spirit is perfectly compatible with the most keen and delicate sentiments of letters and the arts; once again, you have achieved the goal assigned to the illustrious Company: "to make the French language capable of the highest eloquence."

With my thanks for the copy of the same Discourse that you were so kind as to have delivered to me, I beg you, Sir, to accept the assurance of my most devoted sentiments in Our Lord.

Rome, January 29, 1914.

R. CARD. MERRY DEL VAL.

[*Latin ed. p. 102*]

102 Acta Apostolicae Sedis - Commentarium Officiale DIARIUM ROMANAE CURIAE SEGRETERIA DI STATO. NOMINE. Per mandato della Segreteria di Stato, il Santissimo Padre ha degnato di nominare:

5 Februarii, 1914. — Reverendissimum Dominum Ubaldum Mannucci, Consultorem del supremo Tribunale della Segnatura Apostolica.

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9 Februarii. — Eminentiissimum Domini Cardinalem Basilium Pompilij, Protectorem pii Instituti Filiarum divinae Pastorae de Siviglia.

10 Februarii. — Eminentiissimum Domini Cardinalem Franciscum de Paola Cassetta, Professorem sacrae Congregationis Concilii.

11 Februarii. — Eminentiissimum Domini Cardinalem Basilium Pompilij, Protectorem Sororum Caritatis Filiarum Nostrae Dominae ad montem Calvarium.

12 Februarii. — Eminentiissimum Domini Cardinalem Dominicum Ferrata, Protectorem Arciconfraternitatis Orationis et Mortis, quae dicitur de Bona Morte.

13 Februarii. — Eminentiissimum Domini Cardinalem Benedictum Lorenzelli, Praefectum sacrae Congregationis Studiorum. — Eminentiissimum Domini Cardinalem Gaetanum de Lai, Protectorem Instituti Religiosarum Sancti Andreae de Tournai.

15 Februarii. — Eminentiissimum Domini Cardinalem Vincentium Vannutelli, Protectorem Sororum Crucifixarum Adoratricium Iesu Sacramentati.

17 Februarii. — Reverendissimos Patres Dominum Benedictum Lopez, procuratorem generalem Congregationis Cassinensis primitivae Observantiæ; Josephum Antonium de Sancto Giovanni in Persiceto, postulatorem generalem Capuccinorum; Camillum Butti, procuratorem generalem Romanorum Sancti Augustini; et Carolum Thèvenon, Oblatorum Mariae immaculatae, Consultores sacrae Congregationis Sacramentorum.

18 Februarii. — Eminentiissimum Domini Cardinalem Franciscum de Paola Cassetta, Protectorem Congregationis Fratrum Minorum Conventualium Caritatis, et Congregationis Sororum Minorum Conventualium Elisabethinarum.

19 Februarii. — Eminentiissimum Domini Cardinalem Dominicum Ferrata, Protectorem Congregationis Matris Dei, de Kain-lez-Toumai (Belgio).

20 Februarii. — Eminentiissimum Domini Cardinalem Anthony Vico, Protectorem Sororum Hospitalium Sacri Cordis Iesu, de Ciemposuelos.

[*Latin ed. p. 103*]

From the Roman Curial Diary, 103, with Apostolic Briefs, the Holy Father has deigned to appoint:

Apostolic Protonotaries, as if participants: February 12, 1914. — Monsignor Luigi Fiacchi, holding the highest dignity in the metropolitan chapter of Ferrara.

Domestic Prelates of His Holiness: January 30, 1914. — Monsignor Martino Howlett, of the archdiocese of Westminster. — Monsignor Ernesto Seydl, pastor of the Imperial and Royal Court of Vienne. February 1. — Monsignor Giovanni Veronesi, honorary canon of the cathedral of Vicenza. — Monsignor Leonardo Sbuelz, of the archdiocese of Udine. February 5.

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— Monsignor Pacifico Massella, newly appointed secretary of Latin correspondence.

With Letters from the Vatican Secretariat, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains of His Holiness: December 27, 1913. — Monsignor Carlo Brown, of the archdiocese of Westminster. January 17, 1914. — Monsignor Pietro Codemo, of the diocese of Ascoli Piceno. January 31. — Monsignor Mariano Cadena, of the archdiocese of Angelopoli.

Honorary Chamberlains in purple attire of His Holiness: December 20, 1913. — Monsignor Giovanni Carosi, of the diocese of Chiusi and Pienza. January 17, 1914. — Monsignor Tiziano Veggian, of the diocese of Vicenza. January 21. — Monsignor Domenico Scipioni, of the diocese of the Marsi. — Monsignor Vincenzo Gagliardi, of the same diocese. — Monsignor Alessandro Paoluzzi, of the same diocese.

Honorary Secret Chaplain of His Holiness: January 31, 1914. — Monsignor Luciano Rossi, of the clergy of Rome.

Extraordinary Secret Chamberlain of Sword and Mantle of His Holiness: February 16, 1914. — Don Vittorio Quesada, Marquis of San Sebastiano, Count of San Pietro, of the archdiocese of Cagliari.

HONORS. With Apostolic Briefs, the Holy Father has deigned to bestow the following honors:

Grand Cross of the Order of Saint Gregory the Great, military class: February 9, 1914. — To His Excellency Alessandro, noble de Krobatin, Minister of War in Austria.

[*Latin ed. p. 104*]

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The Grand Cross of the Order of St. Sylvester the Pope: January 8, 1914. – To the Most Noble Baron Ugo de Rhemen, of the Austrian Empire, and to the Most Noble Baron Alessandro de Musulin, of the same nation, extraordinary envoys and plenipotentiary ministers.

The Commander's Cross with plaque of the Order of St. Gregory the Great, civil class: January 8, 1914. – To the Most Noble Baron Emilio de Konradsheim, to Mr. Ladislao de Gömöry-Laiml, councilors of section in Austria, and to Mr. Béla de Szentirmay, general consul of the second class, of the same nation.

The Commander's Cross of the Order of St. Gregory the Great, civil class: February 11, 1914. – To Mr. Carlo del Campo Ortúzar, of the archdiocese of Santiago del Cile. February 14. – To Mr. Pietro de la Rochefaucauld, Duke de la Roche Guyon, of the archdiocese of Paris.

The Knight's Cross of the Order of St. Gregory the Great, civil class: January 27, 1914. – To Mr. Leone Payen, of the archdiocese of Lyon. February 5. – To Mr. Nicola Rossi-Genoese, of the diocese of Mileto. February 8. – To Mr.

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Gastone Racanié-Laurent, lawyer, of the diocese of Montpellier. February 11. – To Mr. Patrick Bernard Malone, of the archdiocese of Westminster.

The Knight's Cross of the Order of St. Gregory the Great, military class: February 11, 1914. – To the gentlemen Paolo Dumais and Alfonso Drouin, formerly Papal Zouaves, of the archdiocese of Ottawa.

The Knight's Cross of the Order of St. Sylvester the Pope: January 29, 1914. – To Mr. Luigi Tosti, of Rome. January 31. – To Mr. Giuseppe Millefiorini, of the diocese of Albano. February 3. – To Mr. Marciano Di Pesa, of the diocese of Avellino. February 14. – To Mr. Giovanni Abrate, of the archdiocese of Turin.

NECROLOGY.

February 26, 1914. – Bishop Matteo Makil, titular bishop of Traili, and apostolic vicar of Kottayam.

February 9. – Bishop Luigi Filippo Ortiz y Gutiérrez, bishop of Zamora.

February 13. – Bishop Giacomo Domenico Murray, of the Romiti of St. Augustine, apostolic vicar of Cooktown in Australia.

February 19. – Bishop Pietro Emilio Rouard, bishop of Nantes.

[*Latin ed. p. 105*]

Year VI. - Volume VI. March 12, 1914. No. 4. ACTA APOLOGETICAE COMMENTARII OFFICIALIS. ACTA PII PP. X. EPISTOLA. I. TO THE MOST ILLUSTRIOUS MAN, ALOISIUS OSTER, PRESIDENT OF THE COUNCIL FOR THE WORK OF THE HOLY INFANT JESUS, ADMINISTERING IN UPPER GERMANY. Beloved Son, health and the apostolic blessing. — Here flourishes a most excellent work which is called the Holy Infant Jesus, and it flourishes so much that, as was corrected in the preceding year, throughout the entire Catholic world, for the same purpose, it has offered almost half of the Catholic children from GERMANY, which We learned with joy from the letters You recently sent Us. For the matter concerns the eternal salvation of so many poor children, and nothing is more pleasing to Us than to have, in this endeavor, even children who strive to make the charity of the Mother Church more abundant, so that She herself may acquire new sons, new heirs of heaven. We certainly offer prayers to God, that He may grant a good, generous, thoughtful, and overflowing measure into the hearts of these children: and may these Our wishes be fulfilled, with the heavenly favor of Our works and the witness of Our benevolence, We impart to You, beloved Son, and to the children themselves, and to all those who assist in administering this work and in collecting the pious contributions, Our paternal blessing in the Lord. Given in Rome, at St. Peter's, on the twentieth day of February, MCMXIV, in the eleventh year of Our Pontificate. PIUS PP. X. ACTA, vol.

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VI, no. 4. - 12-3-1914. 8

[*Latin ed. p. 106*]

To His Eminence, Francis of Paul, Cardinal Cassetta, Bishop of Tusculanum, Patron of the Society of Saint Jerome for the Propagation of the Holy Scriptures.

Your Eminence, we have received with the greatest pleasure a copy of the new Italian translation with explanatory notes of the Holy Gospel of Our Lord Jesus Christ, and with the addition of the Catechism of Christian Doctrine. While we offer our congratulations to the Pious Society of Saint Jerome and to you, Your Eminence, who presides over it with such zeal, we pray that the Lord may reward here on earth the merit of the propagation of the Holy Gospels and the Catechism, bestowing the greatest blessings upon all those who dedicate themselves to this salutary work. And as a sign of our particular favor, we impart to you and to all the members of the Society our apostolic blessing.

From the Vatican, February 25, 1914.

PIUS PP. XIII.

To the Most Illustrious Man, A. Centianae, President, concerning the Blessed Father d'Hencourt, Vice-President, and regarding letters of the same Society concerning its growth, presented with veneration.

Beloved Son, greetings and the apostolic blessing.

News of a truly desirable matter has reached us through your letter. For while it recounts the growth that the Vincentian Society has received in the past year, it also brings even greater joy, namely, that which it will receive even in the distant regions of Sinarum, Iaponiae, and Indiarum. For this, we give thanks to God with you, and we understand how much this Society owes to the diligence and industry of its beloved son, Paul Caion, and to you, as the successor in guiding the Society. Therefore, we desire to reiterate the praises we have bestowed upon him without hesitation, and we urge you to maintain the work entrusted to you, so that you may reflect the fervent studies of Frederick Ozanam, the founder, and constantly meditate upon and strive for the acts of charity.

[*Latin ed. p. 107*]

Acts of the Most Holy Pope Pius X, No. 107. That this may come to pass according to the wishes, We impart to you, beloved Son, and to all your companions, with a willing heart, Our apostolic blessing, the help of heavenly patrons, and a witness of Our benevolence. Given in Rome, near the blessed Peter, on the twenty-fifth day of the month of February, in the eleventh year of Our Pontificate. PIUS PP. X.

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SUPREME SACRED CONGREGATION OF THE HOLY OFFICE (SECTION ON INDULGENCES).

I. DECREE.

A CERTAIN INDULGENCE OF C DAYS IS GRANTED TO THOSE WHO RECIT THE FOLLOWING PRAYER TO OUR LORD JESUS CHRIST.

Prayer to Our Lord Jesus Christ.

O Jesus, most gentle Son of the glorious Virgin Mary and only Son of the living God, together with Your Father, who begets You within His infinite nature from all eternity, and communicates to You this same infinite nature, and with the Holy Spirit, who proceeds from the Father through You, and who is Your Spirit in both of You, Your abiding Love, receiving from You the same infinite nature, I adore You and I acknowledge You as my God, the only true God, unique and infinitely perfect, who created all that is outside of Himself from nothing, and who preserves and governs it with infinite wisdom, with supreme goodness, with supreme power; and I ask You, in the name of the mysteries accomplished in Your holy humanity, to purify me in Your Blood from all my past sins; to pour upon me the abundance of Your Holy Spirit, with its grace, its virtues, its gifts; to make me believe in You, to hope in You, to love You, to strive, through each of my actions, to merit You; and to give me Yourself one day, in the splendor of Your glory, in the midst of the assembly of Your saints. Amen.

[*Latin ed. p. 108*]

108 Acta Apostolicae Sedis. - Official Commentary, January 22, 1914. Our Most Holy Lord, Pope Pius, of blessed memory, having granted an audience to the Reverend Father Assessor, deigned benignly to grant an indulgence of one hundred days, once a day, to all the faithful who, at least with a contrite and devout heart, shall recite the prayer mentioned above. He conceded that this indulgence may, if desired, be applied to the souls suffering in the fire of Purgatory. This present decree is valid forever, without any further indult. Notwithstanding any contrary provisions. D. CARD. FERRATA, Secretary. L.6BS. f D. Archbishop of Seleucia, Assessor. S. O. THE DECREE. ONE HUNDRED DAYS' INDULGENCE IS GRANTED TO THOSE WHO RECITE A CERTAIN PRAYER TO THE BLESSED VIRGIN MARY, FOR THE PURPOSE OF REPARATION.

Prayer of Reparation to the Blessed Virgin Mary.

O Virgin, most blessed, Mother of God, turn your benign gaze from heaven, where you sit as Queen, upon this miserable sinner, your servant. He, though aware of his unworthiness, in reparation for the offenses done to you by impious and blasphemous tongues, from the depths of his heart blesses and exalts you as the purest, the most beautiful, and the most holy

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of all creatures. He blesses your holy name, he blesses your sublime prerogatives as true Mother of God, ever Virgin, conceived without the stain of original sin, Co-Redemptrix of the human race. He blesses the eternal Father, who chose you in a special way as His Daughter; he blesses the Word incarnate, who, taking on human nature in your most pure womb, made you His Mother; he blesses the divine Spirit, who willed to be your Spouse. He blesses, exalts, and thanks the august Trinity, who chose and favored you so much as to raise you above all creatures to the most sublime height. O Virgin, holy and merciful, obtain repentance for your offenders, and accept this small tribute from your servant, and also obtain for him forgiveness of his sins from your divine Son. Amen.

[*Latin ed. p. 109*]

The Most Holy Congregation of the Holy Office, 109, on the 22nd of January, 1914. Our most holy Lord, Pope Pius, of blessed memory, Pope X, having been graciously pleased to grant, in an audience given to the Most Reverend Father, Assistant of the Holy Office, that the faithful, who at least with a contrite heart and devoutly recite the aforementioned prayer, may obtain an indulgence of one hundred days, applicable also to the souls of the departed, each time they perform this act. This present decree is valid forever, without any brief being required. Notwithstanding any contrary provisions. D. CARD. FERRATA, Secretary. L. £B S. f D. Archbishop of Seleucia, Assistant to the Holy Office, III. DECREE. TWO PRAYERS TO THE BLESSED VIRGIN MARY GRANT AN INDULGENCE OF ONE HUNDRED DAYS. On the 22nd of January, 1914. Our most holy Lord, Pope Pius, of blessed memory, Pope X, having been graciously pleased to grant, in an audience given to the Most Reverend Father, Assistant of the Holy Office, that the faithful, reciting with at least a contrite heart, the following ejaculatory prayer: "Holy Mary, deliver us from the torments of hell," may obtain an indulgence of one hundred days, also beneficial to the souls of the departed, as often as they perform this act. Furthermore, in the same audience, a similar indulgence was granted, in favor of those who recite the following invocation: "Holy Mary, Liberator, pray for us and for the souls in Purgatory." This present decree is valid forever, without any brief being required. Notwithstanding any contrary provisions. D. CARD. FERRATA, Secretary. L. « S. f D. Archbishop of Seleucia, Assistant to the Holy Office.

[*Latin ed. p. 110*]

Acts of the Apostolic See. - Official Commentary IV. DECREE. PRAYERS "TO BE RECITED AFTER SPIRITUAL EXERCISES OR AFTER MISSIONS, THREE HUNDRED DAYS OF INDULGENCE ARE GRANTED. Prayer. Jesus Christ, who willed to be crucified for me, I give thanks to You for all the benefits of Your love, which You have bestowed upon me during these

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sacred exercises (or this sacred mission). Indeed, I have been convinced anew that above all else, it is necessary to save my soul, which is unique and immortal. Therefore, I firmly resolve, first of all, to avoid all mortal sin, and all voluntary and proximate occasions of sin, especially this one... which has caused me so much harm. But I also wish to resist every venial sin and every inclination towards evil, as far as I am able. I promise You that I will faithfully and religiously fulfill all the duties of my state or office, and that I will conduct my entire life according to Your most holy will. Furthermore, I promise You, O good Jesus, that I will strive to persevere in daily prayer, and especially to flee to prayer when tempted. I wish to sanctify the Lord's Day and to approach Your holy table frequently and devoutly. Finally, I offer You my entire life, especially my labors and my sufferings. Bless me, and all those who have been with me in these sacred exercises (or in this sacred mission). O Mary, immaculate Virgin, I wish to be Your son (or Your daughter), and I intend to devoutly venerate You through the devotion of the most holy Rosary. Grant me, O Lord Jesus, Your Mother as my special patroness, and may she be my comfort and joy until the blessed end of my life. Amen. January 29, 1914. Our Lord, Pope Pius, with divine providence, having heard from the Most Reverend Father, Assistant of the Holy Office, deigned graciously to grant that the faithful, reciting at least with a contrite and devout heart the prayer mentioned above, may obtain, once a day, an indulgence of three hundred days, which, if they wish, may be applied to the souls of the departed. This decree is valid forever, without any Indult. Notwithstanding anything to the contrary. D. CARD. FERRATA, Secretary. L. © S. f D. Archbishop of Seleucia, Assistant of the Holy Office.

[*Latin ed. p. 111*]

The Most Holy Congregation of the Holy Office, DECREE. ONE HUNDRED DAYS OF INDULGENCE ARE GRANTED TO THOSE WHO RECITES THE LITANY OF THE BLESSED VIRGIN MARY FOR PERPETUAL HELP. On January 29, 1914. Our Most Holy Lord, Pope Pius, of divine memory, in an audience granted to the Reverend Father, Assistant of the Holy Office, deigned to generously grant an indulgence of one hundred days, as often as it can be obtained, to the benefit of those faithful who, at least with a contrite heart, recite the litany: "Mother of Perpetual Help, pray for us," or, according to the particular custom of the place: "Our Lady of Perpetual Help, pray for us." This decree is valid for all times, present and future, without any need for a brief. In spite of any contrary provisions. D. CARDINAL FERRATA, Secretary. L. g. s. f. D. Archbishop of Seleucia, Assistant of the Holy Office. SACRED CONSISTORIAL CONGREGATION, DECLARATION. CONCERNING THE ELECTION OF A GENERAL VICAR FOR THE DIOCESES OF THE UNITED STATES IN THE DIOCESAN COUNCIL. The question which has been frequently raised in the dioceses of the United States of America, as to whether General Vicars can be members of

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the Diocesan Council, has been again brought before the Fathers of this Sacred Congregation for examination. Furthermore, considering that in these dioceses, the members of the Diocesan Council and their college take the place of the canonical chapter and the cathedral chapter;

[*Latin ed. p. 112*]

112 Acta Apostolicae Sedis - Official Commentary, which does not impede in law the possibility of a General Vicar being appointed among the canons of the cathedral church; it was concluded that, generally speaking, it cannot be prohibited that General Vicars of these dioceses be among the Consultors. However, there are cases in which it is neither equitable nor opportune for this to occur, namely, whenever the Consultors, according to custom or for another reason, are very few in number: in such a case, another priest, not of the group of Consultors, must be appointed as Vicar, or the number of Consultors must be appropriately increased. However, Our Holy Father, Pope Pius X, ratified and confirmed this decision, and ordered it to be made public, notwithstanding any contrary provisions. Given at Rome, from the offices of the same Holy Congregation, on the 27th of February, 1914. C. CARD. DB LAI, Bishop of Sabina, Secretary. L. © S. S. Tecchi, Assistant. II. PROVISIONS FOR CHURCHES. By successive decrees of the Sacred Congregation Consistorial, Our Holy Father, Pope Pius X, provided for the following churches with their proper pastors, namely: December 16, 1913. — He appointed the Reverend Robert Burkler, canon of the same cathedral church and rector of the diocesan seminary, as prefect of the cathedral church of Saint Gall. — He appointed the Reverend Francis Christopher Toro, formerly Bishop of Socorro, as prefect of the cathedral church of Saint Marthe. December 29. — He appointed the Reverend Hector Quilliet, professor at the Catholic University of Lille, as prefect of the cathedral church of Limoges. December 30. — He appointed the Reverend Anthony Mary Grasselli, formerly Bishop of Viterbo and Toscanella, as prefect of the titular archiepiscopal church of Lari. January 1, 1914. — He appointed the Reverend Victorian Guisasola and Menendez, formerly Archbishop of Valencia, as prefect of the metropolitan church of Toledo. January 13. — He appointed the Reverend Victor Arrieu, titular canon of the same archdiocese, as prefect of the metropolitan church of Plata. — He appointed the Reverend John Mary Bourchany, pastor of the church of Saint Francis de Sales in the city of Lyons, as prefect of the titular episcopal church of Hadrumetum.

[*Latin ed. p. 113*]

Sacred Congregation of the Council. 113, appointed Auxiliary to the Reverend Hector Irenaeus S.e.vin, Archbishop of Lyons. January 22, 1914. – The Reverend Modestus Augustum Vieira, formerly Bishop of St. Aloysius of Caceres, is appointed Auxiliary to the Reverend Silverius Gomes Pimenta,

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Archbishop of Mariana, and is assigned to the titular see of Archelaïs. January 29. – The Reverend Ludovicus I. O' Leary, of the diocese of Ghatam, and canon and chancellor of the episcopal curia, is appointed Auxiliary to the Reverend Thomas Francis Barry, Bishop of Ghatam, and is assigned to the titular see of Hierapolis. February 18. – The Reverend Josephus Gregory Romero, a vicargeneral of the diocese of Salta, is appointed Auxiliary to the Reverend Mathias Linares et Sanzetenea, Bishop of Salta, and is assigned to the titular see of Thermae Basilicae. February 19. – The Reverend Paschalis Righetti, a canon and archpriest of the cathedral church of Brugnato, and vicargeneral, is assigned to the cathedral church of Fossombrone.

DECREE FOR THE APPROVAL OF A BOOKLET OF VARIATIONS IN THE DIVINE OFFICE. Whereas, by a Motu Proprio issued two years ago by our most holy Pope Pius X, on October 23 of the recently elapsed year of 1913, concerning the newly ordered Divine Offices, it is permitted to each, when performing the Divine Office, to use the Roman Breviaries which are in use, provided that he has in a special booklet the variations which are entirely in accordance with the Apostolic Constitution *Divino Afflatu*, the aforementioned Motu Proprio, and the decrees; the Sacred Congregation of Rites, by order of our most holy Pope, has taken care to have such a booklet prepared by a special liturgical commission; and having completed the work, it was judged to be well-arranged, distinct, and, after proper revision, worthy of approval. With all of these things related to our most holy Pope Pius X by the undersigned Cardinal, Prefect of the Sacred Congregation of Rites,

[*Latin ed. p. 114*]

114 Acta Apostolicae Sedis - Official Commentary. His Holiness, having approved the aforementioned decree of the same Sacred Congregation, hereby approves this document with the prescribed modifications, and benignly grants permission for its use by those who wish to recite the canonical hours with the usual Roman Breviary, and decrees accordingly. Notwithstanding any contrary provisions. From the Secretariat of the Congregation for Sacred Rites, this 14th day of January, 1914. Fr. S. CARD. MARTINELLI, Prefect. L. © S. f. Petrus La Fontaine, Bishop of Charystien, Secretary. II. ASTEN, AND TAURINENSE. DECREE OF BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, DOMINIC SAVIO, LAY YOUTH, PUPIL OF THE SALESIAN ORATORY. The Salesian members, who have extolled the excellent young men educated and instructed by them, considered that the words of Scripture appropriately applied to Dominic Savio: "His remembrance shall be sweet as honey in every mouth, and as music at a banquet of wine." Indeed, they testify that Dominic, as a boy, was full of counsel, conspicuous for his piety towards God and his parents, modest, serious, and at the same time of remarkable affability, with a keen intellect far beyond his years, and perfectly suited for literary

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studies; he imitated the virtues of the older ones so admirably that mothers were accustomed to present him as an example to their children, and he truly deserved to be called a good odor of Christ. He was born in the town of Ripa, near Chieri, on April 2, 1842, to Charles, his father, and Rosa Saiato, his mother. The young boy, scarcely more than seven years old, flourishing in piety and innocence, was admitted to the Holy Mass; and, as is said, he became so inflamed with love for the Holy Eucharist that, when in 1853 he was received into the Salesian Oratory in Taurinense to devote himself to literary studies, he often remained for three hours or more, as if transported beyond the senses, before the Blessed Sacrament. He venerated the Holy Virgin, Mother of God, as a most loving mother, and he was the author of the establishment of a sodality dedicated to the Immaculate Conception of the same Virgin, to which young people were admitted so that they might receive the fruits of a virtuous life. As a result, the Superiors, perceiving the great spirit in the boy and admiring his patience in enduring injuries, had great confidence in him; and he, indeed, became a noble example among those in Vico Equense.

[*Latin ed. p. 115*]

The Holy Congregation of Rites, having considered the matter, decreed what all learned men know: "I would rather die than commit sin." In the early years of his youth, he fell ill, and was compelled, much to his regret, to leave the Oratory and return to his parents. However, although nothing was omitted that might contribute to his healing, the illness grew daily, which he bore with equal fortitude and piety. On the tenth day of March, in the year 1857, not yet having completed his fifteenth year, he peacefully fell asleep in the Lord, leaving behind a great desire for his own sanctification and a reputation for virtue. During his life, he was a source of great joy to the Venerable Servant of God, John Bosco, who, fearing the young man not by his age but by his virtue, since old age is a life without blemish, wrote his history after his death, in which he expressed his love for Dominic as a rose in the springtime and as lilies in the flow of water. The fame of sanctity which the Servant of God had acquired in life, after his death persevered and grew, prompting the Ordinary of the diocese of Ästen to, with his authority, initiate inquiries into this very fame. Upon completion of these inquiries, and after they were brought to Rome and presented to the Sacred Congregation of Rites, and after all that was prescribed by law had been observed, with the urgent intervention of the Most Reverend Mr. Dante Munerati, the General Procurator of the Salesian Society and Promoter of the Cause, and after considering the petitions of certain Eminences of the Holy Roman Church, and of many Most Reverend Prelates, as well as Chapters, Orders, and Congregations, together with laymen of both sexes, the Eminence and Reverend Cardinal Vincent Vannutelli, Bishop of Palestrina, and Promoter of the Cause, proposed the following question for discussion

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at a meeting of the Ordinary of the Sacred Congregation of Rites, convened for that purpose at the Vatican: "Should a Commission be appointed for the introduction of the Cause, in this case and for the purpose in question?" And the Eminences and Reverend Fathers entrusted with the safeguarding of the sacred rites, after hearing the report of the aforementioned Promoter, and after hearing the voice and written opinion of the Reverend Father Alexander Verde, Promoter of the Holy Faith, and after carefully considering all matters, they judged that the answer should be: "Affirmatively, that is, a Commission should be appointed, if it pleases the Most Holy." On February 10, 1914. Subsequently, these matters were brought to the attention of our Most Holy Pope Pius X through a report from the Secretary of the Sacred Congregation of Rites. His Holiness, approving the decree of the same Sacred Council, deigned to sign the Commission for the introduction of the Cause of the Servant of God, Dominic Savio, a lay youth and student of the Salesian Oratory, on the 11th day of the same month and year.

Fr. S. CARD. MARTINELLI, Prefect.

Petrus La Fontaine, Bishop of Charyste, Secretary.

[*Latin ed. p. 116*]

116 From the Holy Apostolic See. - Official Commentary III. VALLISOLETANA. DECREE OF BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, FATHER BERNARD FRANCIS DE HOYOS, PRIEST, MEMBER OF THE SOCIETY OF JESUS. In the Spanish town of Torrelobaton, in the diocese of Palencia and the province of Valladolid, on August 21st of the year 1711, Bernard Francis de Hoyos was born, from legitimate marriage, whom his parents, Emmanuel and Francisca de Seña Faica, placed in baptism, under the special protection and patronage of Saint Francis Xavier. Having received his initial education in his native town, when he grew older, he devoted himself to the humanities in the colleges of the Society of Jesus, both in Augsburg and in Villagarcia. Feeling the divine vocation to the higher state, overcoming obstacles, with the help of the most blessed Virgin, he made his vows and, at the age of fourteen, was admitted into the Society of Jesus, having as his model the exemplary John Berchmans. After completing his novitiate and having received the simple vows, he diligently studied philosophy, and then the theological disciplines. Then, more certain of the divine will, under the guidance of obedience, he received the sacred orders, and on January 2nd of the year 1725, in another Valladolid college, that of Saint Ignatius, he offered the Holy Sacrifice for the first time, with equal fervor and devotion. Called by God to spread the cult of the Most Holy Heart of Jesus in Spain, he so successfully fulfilled the task entrusted to him that, overcoming very serious difficulties with divine help, within a short time, the divine Heart was venerated throughout Spain with extraordinary fruit for souls. These successes seemed to portend even greater things for the holy young man,

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when, on November 16th of the year 1735, he was suddenly struck by a fatal illness, which gradually worsened; having received the sacraments of the Church with great devotion, he rested in the Lord in the college of Saint Ignatius in Valladolid on the 29th of the same month, having barely completed his twenty-fourth year, mature in merit more than in years. Meanwhile, the opinion of his sanctity, both in life and after the death of the Servant of God, has remained strong to the present day, and investigative proceedings, carried out with ordinary authority, have been presented to the Congregation of Sacred Rites. Hence, observing the order of law, at the urgent request of the Reverend Father Camillo Beccari, the general promoter of the Society of Jesus, and with attentive letters from certain Eminences of the Holy Roman Church, from several Reverend Sacred Prelates, from cathedral chapters, and from the superiors general of the Orders or Congregations, the Eminent and Reverend Cardinal Jerome Gotti, the Promoter or Relator of this Cause, in the ordinary session.

[*Latin ed. p. 117*]

The Holy Congregation of Rites, having held its meetings signed by 117 members of the Congregation at the Vatican, proposed the following question for discussion: Should a Commission for the introduction of the Cause be appointed, in this case and for the purpose in question? And the Most Reverend and Reverend Fathers, entrusted with the safeguarding of the sacred Rites, after hearing the report of the Most Reverend Prefect, and after hearing the voice and written testimony of the Reverend Father Alexander Verde, Promoter of the Holy Faith, having carefully considered all matters, decided to respond: Affirmative, that is, the Commission should be appointed, if it pleases the Most Holy [Pope]. On February 10, 1914. All of which was reported to the Most Holy Lord, our Pope Pius X, by the undersigned Secretary of the Holy Congregation of Rites, and His Holiness approved the response of the same Holy Congregation, and deigned to sign the Commission for the introduction of the Cause of beatification and canonization of the Servant of God, Bernard Francis De Hoyos, a professed priest of the Society of Jesus, on the 11th day of the same month and year.

Rev. S. Cardinal Martinelli, Prefect.

L.©S. Rev. Fr. Peter La Fontaine, Bishop of Charyst, Secretary.

IV. STRIGONIAN, AND OTHER DIOCESES OF HUNGARY. CONCERNING THE FEAST OF THE BLESSED VIRGIN MARY, GREAT LADY OF THE HUNGARIANS.

The Feast of the Blessed Virgin Mary, Great Lady of the Hungarians, which had previously been assigned to the second Sunday of October, in accordance with recent rubrics and decrees, and in order to ensure greater uniformity, the Holy Congregation of Rites, by virtue of the special faculties granted to it by the Most Holy Lord, our Pope Pius X, decided and

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declared that it should be celebrated throughout Hungary on the 8th day of the same month of October, under the rite of the second class.

Therefore, the Hymn "O gloriosa," which has hitherto been recited in the First Vespers of the aforementioned Feast, should be placed at the Matins. In the First Vespers, the following should be inserted: "If the First Vespers are to be said in their entirety, the Hymn 'O GLORIOSA' from Matins should be recited, and at Matins, the Hymn 'PRAECLARA CUSTOS VIRGINUM,' as on the Feast of the Immaculate Conception of the Blessed Virgin Mary. Contrary to any and all things to the contrary notwithstanding."

On February 27, 1914.

Rev. S. Cardinal Martinelli, Prefect.

L. © S. Rev. Fr. Peter La Fontaine, Bishop of Charyst, Secretary.

[*Latin ed. p. 118*]

118 Acta Apostolicae Sedis. - Official Commentary V. DECREE ON LOCAL FESTIVALS WHICH RELIGIOUS ARE OBLIGED TO OBSERVE. The rubrics to be observed in the recitation of the Divine Office and in the celebration of the Mass, according to the Bull *Divino afflatu*, title IX, numbers 2 and 4, clearly teach which local festivals Regulars, possessing a proper, calendar, or diocesan calendar, or a particular calendar, are obliged to celebrate according to the general law. However, since it is known that, in past times, certain festivals were granted to both the clergy of a particular kingdom, province, or diocese, solely by Indult of the Holy See, and that these are not mentioned in the aforementioned rubrics or title, a question arose regarding the obligation of Regulars to celebrate these festivals as well. Furthermore, desiring to resolve this question, and also to determine which calendar Orders Regulars, as well as Religious Congregations or Institutes, should use, and also to define certain other matters pertaining to the same, the Sacred Congregation of Rites, after hearing the opinion of the Commission established for the reform of the psalter, and considering the tenor and intent of the Bull *Divino afflatu* and the subsequent rubrics and decrees, and after carefully examining all matters, decided to establish the following: I. Orders Regular must have a proper calendar, which must also be used by Nuns and Sisters of the same Orders. II. Congregations or Institutes of both sexes, approved by the Holy See and established under the governance of a single General Superior, if they are bound to the recitation of the Divine Office, must also have a proper calendar. III. Congregations and Institutes, which are approved by ordinary or apostolic authority, but are not included in the preceding paragraph, must use the diocesan calendar as it is, with the addition of the Offices which have been specially granted to them according to the rubrics. IV. Orders, Congregations, and Institutes, enjoying a proper calendar, are only obliged to celebrate the local Offices of the Dedication and Titular Feast of the cathedral church, as well as the more solemn feasts of the principal Patrons, so that they are not fur-

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ther obliged to celebrate Offices granted to a particular kingdom, province, or diocese; nor are they obliged to celebrate local Offices which formerly included a holiday, but which now have that holiday suppressed. V. With regard to local festivals, which, as mentioned above, are to be observed by Regulars, they must use the Office and Mass granted to the secular clergy, unless the same...

[*Latin ed. p. 119*]

The Holy Congregation of Rites, number 119, decrees that the aforementioned feasts shall be observed by the Religious Orders with their own proper Office and Mass. VI. If there are serious reasons for celebrating certain local feasts, beyond those listed, for the preservation of a particular Religious family, these matters shall be submitted to the judgment of the Sacred Congregation of Rites, so that, if necessary, these feasts may be included in the Calendar. These resolutions, having been reported to the Most Holy Pope Pius X by the undersigned Secretary of the Sacred Congregation of Rites, were ratified, approved, and prescribed by His Holiness, revoking all contrary Indulgences, notwithstanding any other matters worthy of special mention. February 28, 1914. FR. S. CARD. MARTINELLI, Prefect. L. © S. f. Petrus La Fontaine, Bishop of Charyste, Secretary. THE SACRED ROMAN ROTA. I. POLICASTRO. CREDIT. During the happy reign of Pope Pius X, in the eleventh year of his pontificate, the Reverend Fathers, Doctors, Michael Lega, Dean, Joseph Alberti, and Peter Rossetti, Auditors from Tournon, in the case of Policastro - Credit, between the Reverend Archbishop of Pignataro, represented by the legitimate procurator, Advocate H. Benvignati, and the Lord Giffoni, appellant and incidentally appellant, represented by the legitimate procurator, Advocate Limongelli, on December 20, 1913, delivered the final judgment. The cathedral church of Policastro has the care of souls, which was previously exercised by individual canons, according to a certain established order, as was customary in the ancient constitutions of many cathedral chapters.

[*Latin ed. p. 120*]

120 Acta Apostolicae Sedis - Commentarium Officiale. With the passage of time, experience has taught that the moral person is not suitably equipped to exercise the actual care of souls; therefore, it has become customary and has been established by law that the Chapter should relinquish the habitual care, attributing a certain aspect of the actual care to one of its members. In the Chapter of Policastro, the actual care was entrusted to the archdeacon. However, as Bishop Laudisius laments in the Bull of December 23, 1826, in the cathedral church, as the number of canons had diminished, so too were there no longer those who certainly had existed before, and who, as they ministered in sacred functions, assisted the archdeacon in the exercise of the care of souls, especially

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during times of unhealthy air. This unhealthiness may have been the cause for this Chapter to have fallen into such a deplorable condition; for, during almost seven months, the Chapter members were absent from the city of Policastro, dispensed from residence due to the unhealthy air, and the ecclesiastical service during this prolonged period was so silent that the hebdomadarii [priests serving weekly] were almost rendered useless. Therefore, with the best of intentions, Bishop Laudisius sought to improve the condition of affairs, establishing that even during the summer months, the choral service should not cease, but should be provided by hebdomadarii newly appointed, and that the residents of Policastro should be obligated to reside there even during the summer months. From among these hebdomadarii, he appointed two assistants to the archdeacon in the care of souls, assigning each of them a salary of thirty ducats: thus, the aforementioned Bull states: "Sixty ducats are to be received each year from the fund commonly called Castagnola, located in the town of Cellarum; the archdeacon has ceded this to two hebdomadarii, and for their honorarium and sustenance, he has assigned and given it to them." These hebdomadarii, by order of the Constitution, were to reside in Policastro during the summer months, and this order might have been disregarded, and no one would have undertaken such a heavy burden with so much risk to their life, unless a better condition of the place had been brought about, especially due to the numerous illnesses and the shops for commerce that were built along the seashore near Policastro, in the place called Capitello. Consequently, the number of faithful who resided there increased, and it appears that, from the year 1827, the town of Capitello was attributed to the care of souls of the parish of Policastro. When, however, an assistant was established to assist the archdeacon, residing continuously near the chapel built there, it is not possible to determine from the records and documents. But it is proven that, long before the present archdeacon took possession of his benefice, an assistant had resided there continuously, and this matter is outside the scope of the present controversy.

[*Latin ed. p. 121*]

S. Romana Rota, 121. Today, the question is raised whether Blasius Peter Giffoni, who from the year 1888 served as coadjutor to the archpriest of Policastro until August 16, 1910 (on which day the division of this town from the parish of Policastro was decreed through legitimate dismemberment and the erection of a vicariate), has the right to reclaim from the aforementioned archpriest a portion claimed by him from the treasury, in accordance with the amount due to two coadjutors as prescribed by the Bull of Bishop Laudisio; and the judge of first instance rendered a favorable judgment for the coadjutor. After an appeal was interposed, today it is necessary to respond to this question, legitimately agreed upon between

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the parties: What sum, and from what time, must be paid by the archpriest of Pignataro to the Reverend Giffoni for the service rendered as coadjutor in the place of Capitello?

1. Giffoni claims the sum of 127.50 annual livres, and from the year 1899, because the parish priest obtained this favorable decree from the treasury (Fondo per il Culto) in the year 1902 for a supplement to the allowance, calculated at 1056 livres from the year 1899, when he assumed the parish; and therefore, the following reasoning is given regarding the payment of stipends to coadjutors: "The Council of Administration, in its meeting of January 17th of the current year, partially accepted the claim (of the parish priest), increasing the obligatory allowance for the two vicars (namely, the two coadjutors, one of Policastro and one of Capitello residing there), but limited to 255 livres, that is, 30 ducats, equivalent to 127.50 livres for each, as previously established by the certificate of January 31, 1886, from the Bishop of Policastro."

To this petition, the parish priest of Pignataro objected, asserting that the allocation of the sum from the treasury in no way obligates the parish priest in the eyes of the Church, which has suffered so much from the exactions of the same treasury; therefore, the sum can be directed by the competent ecclesiastical authority to that purpose which that same ecclesiastical authority deems most fitting. Furthermore, he notes that the Bishop Laudisio had allocated 60 ducats to the parish coadjutors who are required to remain and reside in Policastro for the entire year.

He also contends that there have been two coadjutors in Policastro up to the present day, and that even if only one were to be maintained, the coadjutor residing in the village of Capitello could not claim what had been allocated to the other coadjutor. It is, without controversy, the case that this coadjutor residing in Capitello never received these thirty ducats, as testified by the aforementioned appeal judgment, but for his own adequate sustenance, he obtained this income either from the civil government or from the episcopal table, and in the absence of one or the other of these, he was content. ACTA, vol. V, n. 4. - 12-3-914. 9

[*Latin ed. p. 122*]

Acta Apostolicae Sedis. Concerning certain expenses, customarily paid by the faithful when receiving the sacraments or participating in other sacred functions. However, the parish priest maintains that the coadjutor of Giffni today intends to claim these expenses, and that he himself, as the judge of the prior instance, rendered a judgment against the parish priest. But before examining the present question with regard to the law, the Lords have declared that they will first investigate the facts, namely, whether the coadjutor residing in the village of Capitello can truly be considered one of the two coadjutors established by the Bull of the Bishop of Lauclisi in the year 1826. Although there is no document in the records

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to confirm this, the parish priest himself admits that since the year 1827, when the Bull of December 1826 was put into effect, the village of Capitello has been included in the parish of Policastro. However, presenting further arguments, the same parish priest, the Archdeacon of Pignataro, contends that there have always been two coadjutors in Policastro, distinct from the coadjutor residing in the village of Capitello. However, this assertion is refuted "in express terms" by the ordinary judge in his judgment, stating: "Indeed, he (the Archdeacon) has never had two, but one, namely, the Reverend Father Garlo Falcone," and further: "As for the second part of the supplementary memorandum, namely, that since 1910 there have always been two (never one) coadjutors in Policastro, we are truly astonished as to how this could have been asserted. But if it is known to us that since 1899, the time when we came to the diocese, until today, there has been only one coadjutor of the Archdeacon, the Reverend Father Falcone, how can it now be said that there have been two? And then, he himself, the defendant (Archdeacon), maintained in his initial pleadings that, due to the changed conditions of the times, he had to transfer 225 lire to his coadjutor, Father Carlo Falcone, as stated in a written declaration by the latter, etc." Therefore, from the records, from the confession of the defendant, and from the aforementioned declaration, it is clear that Policastro has had only one coadjutor in recent years. Furthermore, it has been deemed appropriate to also consider a document that provides full certainty, namely, the appeal made by Bishop Gione to the fiscal authorities (Fondo per il Culto) in the year 1886, in which he declared that there were two coadjutors of the archdeaconry, one in Policastro and one residing in Capitello; and he asserted and confirmed this state of affairs when he requested from the fiscal authorities a certain sum of money, given the reason that he had two coadjutors serving him, one in Policastro and the other residing in Capitello.

[*Latin ed. p. 123*]

The Roman Rota, 123. Nor does the objection raised today by the archdeacon invalidate these assertions, namely, that they were made in order to obtain something from the treasury that would not otherwise have been granted; for it is first noted that there are more documents in the records that were not presented to the treasury, nor were they compiled for this purpose, by which the archdeacon acknowledges that a priest named Gifibne was legitimately appointed as a coadjutor in the village of Capitello. However, with regard to the declarations made before the treasury, it should be considered that the Bishop certainly would not have made them, unless they were in accordance with the truth, which could have been so easily demonstrated to the civil magistrate, given that we are dealing with a small town, and that everyone in the town is aware of the circumstances. Whether this state of affairs began, or first occurred in the year 1327, when the town

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of Capitello was certainly annexed to the parish of Policastro, or later, when a larger population was established there, cannot be determined from the records; nor is it closely connected with our question; for it is sufficient to prove that, even before the current archdeacon took possession of his benefice, Gifibne was legitimately appointed as a coadjutor in the village of Capitello. Furthermore, the archdeacon does not seriously contend that he had not two, but three coadjutors, or that he had two in Policastro besides a third, namely, Gifibne. Indeed, the Bishop asserts that there has been only one coadjutor in Policastro since the time when he became the local Ordinary, and the archdeacon admits this, stating that only one coadjutorship has been conferred by the Curia; but at the same time, he declares that someone from the benefices has customarily assisted in support of the coadjutor. But this is of no benefit to his intention, because the current question is about coadjutors from the benefices, for whom a certain basis for execution was given by the Bull of Bishop Laudisii. Having stated these facts, the Lords will consider whether this state of affairs is in accordance with the prescriptions of the law, so that it may be inferred that the Bull of Laudisii, which assigns sixty ducats to two coadjutors, or thirty ducats to each, is applicable in the case in favor of coadjutor Gifibne, although he resides not in Policastro, but in Capitello. Indeed, even if we interpret the Bull in its literal sense, while it stipulates that two coadjutors should reside day and night in Policastro, we must understand that the intention is not to be disregarded, but that the letter should be preserved, even if a coadjutor resides in Capitello, because the village of Capitello, as a part of the whole, is contained and included within the parish; nevertheless, it is better to place the matter in a safer position, noting that, according to the prescription of the Council of Trent, Session 21, chapter 4, on Reforms, bishops have the faculty of giving coadjutors to parishes, and much more, it is permissible for them to transfer coadjutors already given, from one place to another, as to a more suitable place.

[*Latin ed. p. 124*]

124 Acta Apostolicae Sedis — An Official Commentary concerning the residence for the faithful; and these faculties of the Ordinaries were more clearly explained and defined by Innocent XIII in the Apostolic Constitution of May 13, 1723, and also the power was granted to the bishop, according to his judgment and conscience, to assign a portion of the fruits of the parochial benefice to coadjutors.

It makes no difference that the coadjutor was never a hebdomadarius of the Chapter; for the question is not about a title, but about the matter itself. There was one parish of Policastro, over which the archdeacon presided: there were two coadjutors, whatever titles they may have been called, to whom the same right belonged. And henceforth, the coadjutor of the Chapter, and precisely Giffoni, was also the hebdomadarius for this very reason:

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"because for many years, in the exercise of the care of souls of this suburb of the Chapter, the Coadjutor of the Reverend Archdeacon was present." Therefore, no difficulty arose from the fact that the aforementioned Bull spoke of the coadjutors of Policastro, and today it is known that one of them resides in Policastro, and the other in Capitelli; and as this fact is already explained to be based on the best of law, we also see that it was considered valid and firm by the Bishop of Clone in the year 1886, who, having explained this condition of the fact, requested from him the payment of 60 ducats, attributed to these two coadjutors by the Bull of the year 1826. The treasury approved the Bishop's petition and, in doing so, did not introduce any change in the goods of the Church, but recognized the legitimate authority in assigning a proper compensation to the coadjutors, and ordered its execution. Therefore, the archdeacon must recognize that 127.50 livres are due to the coadjutor of Capitelli residing there, not because the treasury ordered it; rather, because he, after the bishop's attestation and the archdeacon's confession, recognized that these coadjutors were owed what had been granted to them by Bishop Laudisius in the year 1826.

It is irrelevant to say that Giffoni, being the coadjutor of Capitelli, relinquished his right and obligated himself to exercise the care of souls without salary, the Bishop saying, "that he did not intend to pay him more than 200 lire, which he had paid up to then to the coadjutor, D. Lorenzo Pellegrini." Giffoni accepted this. From this, the Lords observed, it follows that Giffoni refrained from any action against the Bishop, with whom he had agreed about not receiving the 200 livres; but he did not simply and purely assume the obligation of exercising the care of souls without any remuneration, as far as third parties are concerned; for if this were the case, the Bishop would certainly have been a violator of the nature and laws of the Church, and Giffoni would not have been of sound mind, which it is even sacrilegious to imagine.

[*Latin ed. p. 125*]

The Roman Rota has ruled that a fact, even if it is contrary to appearances and admitted by a judge of first instance, or if it concerns a sum of 30 ducats that has not been paid for 80 years, cannot be used to establish a claim of prescription. However, if this fact could give rise to the alleged exception of prescription, it would have to be demonstrated by the archdeacon that this sum was indeed genuinely owed, and that it was ready for payment in such a way that the chaplain should be held responsible for his negligence if he did not collect it. See *De Luca, de iurib., disp. XXI, n. 12, 18* and *d'Annibale II, n. 151*. On the contrary, not only does the archdeacon not prove this, but there are clear indications and arguments that demonstrate that this sum, at least for the period during which the statute of limitations should run, was either not owed or was not a liquid debt. Indeed, the estate of Castagneto, as the plaintiff, Blasii Giffone, states, had long since been

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granted to the municipality; and the municipality had not always paid the dues, the same plaintiff states; therefore, it is clear that the sum owed to the chaplain was not a liquid debt during that time. But even if this sum had always been a liquid debt, it has not been proven to have been owed; for the chaplain of the place, Capitello, certainly received a certain stipend for some time, both from the episcopal table and from the civil government; and it is permissible to presume that this was done by virtue of a pact or agreement made with the archdeacon. Furthermore, since the chaplain received his remuneration from elsewhere, during the time when he should have demanded the disputed sum from the archdeacon, it follows that he probably did not demand it, since he did not have the right to do so, in one way or another, at that time. Therefore, the alleged exception has no force. From these observations, the judges concluded that the judge of first instance rightly awarded the assistant Giffone the sum of 127.50 from the time he received it from the archdeacon's treasury. However, the same judge considered that this sum was not due unless the following were deducted: 1) the expenses incurred by the archdeacon in recovering this sum; 2) the annual pensions received by the assistant by virtue of the lease of his canonical house, which was part of the church; 3) the sum of 15, bequeathed to the church. But with regard to the first point, the judges stated that although the reason invoked by the judge is just, namely that those who benefit should bear the expenses, the application is not correct unless the due measure is observed, which the judge does not seem to have observed in this case. For the archdeacon did not merely claim the disputed sum from the treasury, but this portion was a proper supplement to what was due.

[*Latin ed. p. 126*]

126 Acta Apostolicae Sedis - The official commentary states that, among other things, funds were allocated for the payment of salaries to two coadjutors. Therefore, regarding the expenses incurred by the Archdeacon in this matter, Coadjutor Giffone should only bear the portion corresponding to the benefit he received, or the sum of 127.50. Regarding the second point, namely, the pensions received from the rented canonical house, estimated at 70 per year, the Lords [of the Sacred Congregation] ruled that these should not be deducted from the amount owed by the Archdeacon, since the coadjutor Giffone had the right, and indeed the obligation, to reside in this canonical house; and that this right, which others have lost through renting, is rightfully and justly theirs. Furthermore, the Lords did not overlook the fact that this canonical house had been designated for the residence of the coadjutor. Moreover, among the benefits, this cannot be included. "Regarding a house designated for the residence of a bishop or rector [of a church], it is customary to doubt whether it should be included in the value," but "whenever it has actually served for the purpose of resi-

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dence, it is understood not to be included, even if secular individuals reside in the same house, as in the case of Buratt," etc. Thus, Cardinal De Luca, *De beneficiis*, section 90, number 7, citing the aforementioned authorities, which is also the case in the civil law that we follow: for bishops and other beneficiaries, a proper amount is assigned by the treasury, without regard to the houses in which they reside. Therefore, the Lords considered that the priest Giffone was, by right, entitled to claim the income from the rented canonical house, and that since he was residing in his own parental home during this time, the pensions from the rental of the canonical house should be considered as compensation for the income he would have received from the rental of his own house. However, it is worth noting that, according to the canons, the conduct of the aforementioned coadjutor is not to be commended, since he was obligated to reside in the canonical house, which had been legitimately designated by the founders for the residence of the coadjutor. Furthermore, it is well established in law, as Lucidi demonstrates in *De visitatione sacrorum limin*, book 1, chapter 3, article 3, citing the jurisprudence of the Holy Congregations, that residence must be material and formal, that is, residing in the place designated for the beneficiary's residence; but with regard to our question, we must perhaps conclude that the conduct of the Coadjutor was less justifiable and commendable when considered in itself, but certainly resulted in the Coadjutor receiving the benefits of the pension. I say, when considered in itself; because the coadjutor may invoke a tacit, if not explicit, approval from the Curia, which allowed the coadjutor to...

[*Latin ed. p. 127*]

The Roman Court decided to change the place of residence so that it might have some income to spend on the restoration of its church. And indeed, a document exhibited in the proceedings demonstrates that it has received income from the lease, which the opposing party has not disputed. Finally, regarding the third point, or the sum bequeathed to the church, the Lords observed that this certainly cannot be attributed to the proper allowance due to the coadjutor for his support; for, as has been shown among the canonists, the endowment of the church is one thing, and a proper portion for the beneficiary is another, as affirmed in Leodien. - Dismemberment before me, on March 4, 1911. Therefore, this sum is the endowment of the church, not the proper allowance of the chaplain. Furthermore, it seems that the archdeacon contends that it is inappropriate to include in the proper allowance, the certain or uncertain revenues that the coadjutor receives in the administration of the sacraments. For, although, as De Luca states, in *disc. XVIII-de paroc, n. 12; de iurispatr., disc. X, num. 18. Adnot. ad Conc. ff id., disc. IX, n. 8*, revenues certainly received from the sacraments administered should be included in the proper allowance for the faithful's spiritual necessity, this does not prevent other revenues, if

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any exist, from being assigned to the coadjutor for his support, as has been considered. The sum due from the Archdeacon must be paid, including interest from the date the dispute began, on which date, by law, good faith is considered to cease, which had been presumed previously, according to *arg. leg. 25, § 7, digest, de haer edit. petit*. Therefore, having considered all of these things, invoking the name of Christ, We, the Judges of Tournon, sitting for the tribunal and with only God before our eyes, declare and definitively pronounce our judgment in response to the proposed question: Affirmative; and that the annual sum of 127.50 francs must be paid from the year 1899 to 1910; with the right of the Archdeacon to deduct from the sum due, the expenses incurred in claiming the aforementioned allowance, that portion of the sum which, for the measure of the emolument received, namely 127.50 francs, must be borne by the coadjutor Giffone. We order and decree that the judicial expenses be compensated between the parties, and that they be considered as compensated; however, we reserve the right to determine the amount of these expenses, not excluding the fees of the lawyers, which we remit for completion to the Reverend Father Presenting. Thus we pronounce, ordering the Ordinaries of the place and the officials of the tribunals to whom it pertains to enforce this our definitive judgment, and to proceed against those who resist, according to the prescribed rules.

[*Latin ed. p. 128*]

128. *Acta Apostolicae Sedis* – Official Commentary on the canons, and especially chapter 3, session XXI, concerning Reform, of the Council of Trent, with the addition of executive and coercive means, which will prove more effective and suitable for the circumstances. Rome, in the seat of the Tribunal of the Sacred Roman Rota, on December 20, 1913. Michael Lega, Dean, presiding. Joseph Alberti. Peter Rossetti. From the Chancery, on January 20, 1914. Sac. T. Tani, Notary. II.

CITATION BY EDICT. WESTMINSTER. NULLITY OF MARRIAGE (LLEWELLYN-ROBINSON). Since, from the acts of the process carried out in the court of Westminster, it appears that Mr. Peter Robinson (12 Hawthorne Road, Willesden Green, London), is summoned in this cause, and he cannot be found, we hereby summon him by this present edict to appear, either in person or through a duly constituted representative, in the seat of the Tribunal of the Sacred Roman Rota, on April 3, 1914, at the eleventh hour, to see the following question written below, and also to determine the day on which the rota will be held for the definition of the cause. Question: Does it appear that there is a nullity of the marriage in this case? Ordinary pastors and all faithful who have knowledge of the domicile or place of residence of the aforementioned Mr. [Robinson] should take care, if and to the extent that it is possible, to ensure that he is informed of this edictal citation. Rome, on March 3, 1914. Ioannes Prior,

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presiding. L. & s. Tancredes Tani, Notary of the Sacred Roman Rota.

[*Latin ed. p. 129*]

SACRED ROMAN ROTA TRIBUNAL, Citation by Decree.

WESTMINSTER. - NULLITY OF MARRIAGE (LLEWELLYN-ROBINSON). Since it is established from the records of the process, which was conducted in the Archdiocesan Curia of Westminster, that Mr. Peter Robinson (12 Hawthorne Road, Willesden Green, London), the defendant in this cause, cannot be found, We hereby cite the aforementioned defendant to appear in person or through a legitimately constituted procurator before the seat of the Sacred Roman Rota on April 3, 1914, at 11 o'clock in the morning, in order to address the doubt reported below, and to determine the date for the presentation of the cause before the Rota. Doubt: Is there evidence of the nullity of the marriage in the present case? The Ordinary of the place and the faithful who have knowledge of the domicile or place of residence of the aforementioned defendant must, insofar as possible, inform him of this citation. Rome, March 3, 1914. L. S.

Jean Prior, Ponent.

Tancrède Tani, Notary of the Rota.

SECRETARIA STATUS EPISTOLAE.

TO THE MOST REVEREND AND ILLUSTRIOUS FATHER, THE ARCHBISHOP OF VIENNA, AS A MEMORIAL FROM THE ILLUSTRIOUS MAN, COUNT HEREDITARY FERDINAND TRAUTTMANSDORFP, PRESIDENT OF THE SOCIETY NOW CALLED "KATHOLISCHER VOLKSBUND," PRESENTED WITH THE DEEPEST RESPECT TO THE MOST BLESSED FATHER.

Most Reverend and Illustrious Monsignor, The Holy Father felt great sorrow upon learning of the serious controversies and agitations that have manifested themselves in recent times among the Catholics of Austria, nor was He surprised or saddened to learn how...

[*Latin ed. p. 130*]

130 Acta Apostolicae Sedis. - The Official Commentary clarifies the nature and scope of the words spoken by Him in a purely private audience granted to a well-known person from Vienne, and to which an interpretation has been attributed that gives them the meaning of a definitive judgment on serious matters, which He reserves to examine in consultation with the most esteemed episcopate of this empire. Now, the same Holiness, having taken due cognizance of the Memorial recently presented to Him by the Most Noble Count Hereditary Ferdinand Trauttmansdorff, as president of the "Katholischer Volksbund," has graciously entrusted me with the pleasant task of conveying to Your Eminence the entire sovereign satisfac-

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tion of His Holiness for the sentiments, expressed therein, of filial devotion to the Apostolic See and of complete obedience to its directives. Indeed, in that document, the aforementioned Association not only vigorously rejects any erroneous doctrine or tendency, especially in social and primacy matters, and declares itself entirely averse to introducing into these Catholic regions the system of interconfessional societies, which the Most Holy Pope has declared not illicit, under certain conditions and precautions, solely in view of the particular circumstances of those countries; but it also formally and explicitly recognizes, in accordance with the repeated teachings of the Holy See, that the social question is not merely economic, but primarily religious and moral, and, for this reason, subject to the judgment and authority of the Church, and it proposes to work actively in all fields of public life in accordance with Catholic doctrine, in order to cooperate in the implementation of the most noble program of the Holy Father: "In the dispensation of the fulness of times, to re-establish all things in Christ, that are in heaven and on earth, in him." (Eph 1:10). Therefore, His Holiness praises and encourages these excellent intentions that inspire the "Katholischer Volksbund," blesses the excellent individuals who direct it, and does not doubt that, adhering to such sound principles and ensuring their practical application under the guidance of their legitimate pastors, the Catholics of Austria will be able to victoriously combat for the triumph of truth, for the good of the Church and the Fatherland, and for the salvation of souls, beset, especially in these days, by numerous and powerful enemies. After this, I am pleased to confirm my sincere esteem for Your Eminence. From the Vatican, January 26, 1914. Your true servant, R. CARD. MÉRÉY DEL VAL.

[*Latin ed. p. 131*]

To the Most Reverend Father, Reverend Monsignor DE TEIL, President of the Central Council of the Work entitled "De la Sainte Enfance," who, out of devotion, presented a copy of the aforementioned Work's Annals for the year 1913 to the Most Blessed Father.

Monsignor, the Sovereign Pontiff, Pius X, was very pleased by the filial tribute contained in the "Annals of the Holy Childhood" for the year 1913. The fervent desire that the Holy Father recently expressed, and which He is pleased to renew today, "to know all the Catholic children associated with this pious and very salutary association," is eloquent proof of the particular interest He takes in this excellent work, which has merited the encouragement and benevolent approval of the Sovereign Pontiffs and the Episcopate of the entire world. Therefore, His Holiness is pleased to congratulate the President and the members of the Central Council of the Holy Childhood, as well as their collaborators, for their zeal and dedication in promoting the development of this work, which should be dear to all Catholics.

As a pledge of ever more abundant heavenly blessings upon the work

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of the Holy Childhood and upon those who propagate and support it, the Holy Father, with effusion of heart, grants to you, Monsignor, the President, and to the members of the aforementioned Central Council, the Apostolic Blessing.

I am very grateful for the copy of these same Annals that you graciously offered me, and I gladly seize this opportunity to express to you, Monsignor, with my personal congratulations, my devoted sentiments in Our Lord.

Rome, February 11, 1914.

R. CARD. MERRY DEL VAL.

[*Latin ed. p. 132*]

Acta Apostolicae Sedis - Official Commentary III. TO R. P. H., D., TIBUS, CASGRAIN, RECENTLY IN CHARGE OF THE CANADIAN REGION OF THE CATHOLIC SOCIETY FOR IMMIGRANTS. Monsieur le Directeur, It has been particularly pleasing to the Supreme Pontiff, whose paternal solicitude for works in favor of immigrants has been manifested on many occasions, to learn that a Catholic immigration society was recently founded in Canada, under the patronage of Mgr. the Apostolic Delegate, of the Most Reverend Archbishops and Bishops of that region, of the Governor of the province of Québec, and of other prominent laymen. The Holy Father applauds this noble and salutary initiative, which aims to offer to all Catholic immigrants, without distinction of nationality, who will settle in Canada, to these people who, in ever-increasing numbers, are compelled by the needs and necessities of life to leave their families, their homeland, to seek abroad an improvement in their lot, in their material condition, to offer them, I say, and to provide them with, with the assistance and temporal protection, the inestimable and far more necessary benefits of moral and religious assistance and protection. This, indeed, is a work of zeal that responds to the demands and needs of the present time. While congratulating you and your devoted collaborators for the zeal with which you dedicate yourselves to this beautiful work, and as a pledge of happy results, the Holy Father sends, from the bottom of his heart, for you, "Monsieur le Directeur," for the members of your Society, and for your work of protecting immigrants, the Apostolic Blessing. I gladly seize this opportunity to express to you, Monsieur le Directeur, along with my congratulations, my devoted sentiments in Our Lord. Rome, February 12, 1914. R. CARD. MERRY DEL VAL.

[*Latin ed. p. 133*]

Secretariat of State 133 IV. TO THE MOST REVEREND H. DELASSUS, WHO PRESENTED TO THE MOST BLESSED FATHER, AS A TOKEN OF

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DEVOTION, THE WORK ENTITLED: "THE POSTHUMOUS MISSION OF JEANNE D'ARC AND THE SOCIAL REIGN OF OUR LORD JESUS CHRIST."

My Lord, The Supreme Pontiff was very pleased by the tribute that you have offered to him with your recent work entitled: "The Posthumous Mission of Jeanne d'Arc and the Social Reign of Our Lord Jesus Christ." Struck by the grave and comforting words, pronounced by His Holiness on a memorable occasion, you undertook to develop them and to bring them to light through a series of considerations equally consoling to your faith and your patriotism. You demonstrate a keen insight and a certainty of views, which make your beautiful book a valuable contribution to the moral renewal of your country. The Holy Father congratulates you on this and grants you, with all his heart, the Apostolic Blessing. I thank you for the copy that you have graciously offered me, and I renew to you, My Lord, the assurance of my most devoted sentiments in Our Lord.

Rome, March 4, 1914.

R. CARD. MERRY DEL VAL.

[*Latin ed. p. 134*]

134 Acts of the Apostolic See, Official Commentary, Volume V. TO THE MOST REVEREND MONSIGHOR JAMES DE AMICIS, VICAR CHAPTER OF THE DIOCESE OF GENOA, REGARDING THE CONGRESS FOR CHRISTIAN EDUCATION TO BE HELD IN GENOA NEXT MONTH, IN MAY. Most Reverend and Reverend Monsignor, The Holy Father has learned with pleasure of a Congress for Christian education, to be held in this city next May. This initiative, most useful especially in these days, is the work of the zealous Signor Cavaliere Mario Palau, a man of merit, the founder of the "Giornaletto," who, with the help of the local section of the "Unione Popolare," first proposed it in the form of a conference, and of the General President of the aforementioned Union, who, favorably receiving it, deemed it fitting to transform it into a national Congress, so that its voice might be more authoritative, and its harvest of lasting fruits more abundant. His Holiness, therefore, heartily congratulates both of them, and entrusts to Your Excellency the honorable task of conveying the apostolic blessing to the promoters of the Congress and to all those who will participate in it, which He sends them from the heart, with wishes for its happy success. With sentiments of sincere esteem, Rome, March 6, 1914. Yours in the Lord, R. CARD. MERRY DEL VAL.

[*Latin ed. p. 135*]

Diarium Romanae Curiae 135

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DIARIUM ROMANAE CURIAE

SECRETARIA DI STATO.

BY ORDER OF.

By order of the Secretariat of State, the Holy Father has deigned to appoint:

February 21, 1914. — His Eminence, Cardinal Basilio Pompilj, Protector of the Congregation of the Benedictine Silvestrines.

February 23. — His Eminence, Cardinal Anthony Vico, Protector of the Congregation of the Missionaries, Sons of the Immaculate Heart of Mary.

February 24. — His Eminence, Cardinal Anthony Vico, Protector of the Institute of the Religious Tertiary Sisters of Saint Francis of Assisi of the Divine Shepherd, of Madrid.

February 28. — His Eminence, Cardinal Vincenzo Vannutelli, Protector of the Dominican Sisters of Charity of the Presentation of the Holy Virgin of Bretèche, near Tours.

February 28. — His Eminence, Cardinal Anthony Vico, Protector of the Gerolimine Nuns, of Spain.

March 1. — His Eminence, Cardinal Francesco di Paola Cassetta, Protector of the Arch-Confraternity of the Holy Angels.

March 1. — His Eminence, Cardinal Gaetano De Lai, Protector of the Order of Saint Jerome, Congregation of the Blessed Peter of Pisa.

March 2. — His Eminence, Cardinal Domenico Ferrata, Protector of the aforementioned Congregation of the Missionary Sisters of Our Lady of Africa (Mahdia).

March 4. — The same, His Eminence, Cardinal Domenico Ferrata, Protector of the Ursuline Sisters of the Roman Union.

March 4. — His Eminence, Cardinal Pietro Gasparri, Member of the Sacred Congregation of Religious.

March 4. — The Reverend Father Alessio Maria Lépieier, General Prior of the Servants of Mary, Consultor to the same Sacred Congregation of Religious.

March 8. — His Eminence, Cardinal Domenico Ferrata, Protector of the Congregation of the Servants of Charity.

March 10. — His Eminence, Cardinal Ottavio Cagiano de Azevedo, Protector of the Order of the Servants of Mary.

[*Latin ed. p. 136*]

136 Acta Apostolicae Sedis - Official Commentary. With Apostolic

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Briefs, the Holy Father deigned to appoint: Domestic Prelates of His Holiness: February 13, 1914. — Mons. Simone Spannbrucker, of the archdiocese of Munich of Bavaria. February 21. — Mons. Ermenegildo Montaner, of the diocese of Tartus. February 23. — Mons. Arturo P. Hamel, of the diocese of Portland. With Letters from the Secretariat of State, the Holy Father deigned to appoint: Honorary Secret Chamberlains of His Holiness: February 21, 1914. — Mons. Giovanni Licitri, secretary to the Cardinal Archbishop of Catania. Honorary Chamberlains in purple vestments of His Holiness: February 26, 1914. — Mons. Rodolfo Böhm, of the archdiocese of Vienne. — Mons. Francesco Saverio Miklaszewski, pastor in the Latin diocese of Premisla. HONORS. With Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Grand Cross of the Order of Saint Gregory the Great, civil class: March 1, 1914. — To His Excellency, Mr. Ignazio de Landsberg-Steinfurt, free Baron of the Empire and Vice-President of the House of Lords, of the diocese of Münster. The Commander of the Order of Saint Gregory the Great, civil class: January 8, 1914. — To the gentlemen Ferdinand Graf and Carlo Klein, advisors to the government in Austria. February 19. — To Mr. Doctor Giuseppe Rech, of the diocese of Metz. The Commander of the Order of Saint Sylvester the Pope: January 8, 1914. — To Mr. Baron Egon de Berger, Mr. Baron Rodolfo de Prandau, and Mr. Baron Leone de Di Pauli, aulic and ministerial secretaries in Austria. NECROLOGY. February 27, 1914. — The Most Reverend Cardinal Giovanni Katschthaler, Archbishop of Salzburg. March 2. — Mons. Uberto Voss, Bishop of Osnabrück. March 4. — The Most Reverend Cardinal Giorgio Kopp, Bishop of Breslavia.

[*Latin ed. p. 137*]

Year VI. - Vol. VI. March 31, 1914. No. 5. OFFICIAL COMMENTARY OF THE APOSTOLIC SEE. ACTS OF POPE PIUS X. LETTER I. TO REVEREND FATHER CLEMENT, SUPERIOR GENERAL, AND TO THE ENTIRE ORDER OF THE DISCALCED CARMELITE BROTHERS, ON THE OCCASION OF THE THIRD CENTENNIAL CELEBRATION OF THE HONORS PAID TO SAINT THERESA FROM HEAVEN. Beloved Sons, health and the apostolic blessing. — From the moment that the divine goodness raised the humility of Our person to the height of the Pontificate, We have considered it Our duty, in the exercise of Our apostolic office, to seize every opportunity to honor those sons of the Church who, through the splendor of their virtues, the praise of their doctrine, and the glory of their deeds, have most worthily distinguished themselves. For We have always been convinced that, in order to stir the hearts of men, actions are worth more than words, and that, in the purpose We pursue, which is to restore all things in Christ, Our exhortations will be more effective through the examples of those who, diligently contemplating Christ Himself, for the purpose of imitation, have marvelously expressed His form of sanctity within themselves. Therefore,

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on the solemnities of Gregory the Great, John Chrysostom, and Anselm, We addressed letters to the Catholic world, in which We praised their merits; and not long ago, We celebrated the memorable anniversary of Charles Borromeo, three years after his inclusion among the Saints. Now, beloved sons, the solemnity of this kind, which is close to your illustrious Order, will be held next April, on the occasion of the three hundred years since Our predecessor, Pope Paul V, bestowed the honors of the blessed in Heaven upon Saint Theresa, the Mother of Grace.

[*Latin ed. p. 138*]

138 Acta Apostolicae Sedis - Commentarium Officiale decreed: and you, as is reported, in the general assembly of the Order, recently conceived a plan, and are preparing to commemorate this joyous event with solemn religious ceremonies and with abundant expressions of joy. We approve of this very much, and, on behalf of the entire Church, we gladly join in your domestic rejoicing. For the common glory and light of the Catholic world, and one of the most distinguished things by which it is adorned, is certainly not the least of them the Virgin of Abulensis; whom: "The Lord filled with the spirit of wisdom and understanding, and with the treasures of his grace, so that her splendor, like a star in the firmament, may shine in the house of God for all eternity" (Bull. Canonia). Thus, Gregory XV, and truly so, proclaimed: for this woman was so useful for the salutary instruction of Christians, that she seems to yield to the great Fathers and Doctors of the Church, whom we have mentioned, either very little or not at all. Indeed, she conformed to the heavenly office which she held, with a most remarkable aptitude. She possessed a singular sharpness of mind, a great kindness of spirit, constancy of judgment, and prudence in matters of men and things, and no less, the pleasantness of her wit and the sweetness of her manners, which brought all people to her. But far more admirable than these natural gifts were those which were above nature. Indeed, she had equals in sanctity of life and in knowledge of divine things – and rightly can that age of Catholic Spain be called a golden age – but of all those, it must be said that she had accumulated in herself the virtues and charisms. It would be a long and irrelevant matter to pursue everything that shone forth in this woman in writing; but nevertheless, we consider it very opportune at this time to present to you some of her virtues, beloved Sons, so that you may recall them not without benefit, and so that the Christian people through you may learn. And first of all, since we see that so many things which surpass the model of human reason, and which certainly exceed the narrow limits of nature, are now being recklessly neglected, or even stubbornly, as if they were nothing, it is fitting to remember how great was the Faith of Therese. For since Faith is the substance of things hoped for, that is, as it were, a certain root in man of divine and heavenly life, and the foundation upon which all of Christian perfection, as it were, rests, it

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is wonderful how she lived by Faith, and how Faith alone governed all her thoughts, words, and actions. She revered the Church, the teacher of truth, with no one more obediently, and adhered to her teachings with no one more firmly: and not only did she resist the deceptive arguments of heretics, nor the snares of the devil,

[*Latin ed. p. 139*]

From the Acts of Pope Pius X, 139, it is clear that he was never swayed by plots; indeed, he left behind a statement that, if either an angel or a voice from heaven were to announce something to him that was not in perfect harmony with the doctrine of the Church, he would not believe it. Therefore, we know that he was always ready to die a thousand times if it were necessary to defend the faith; for nothing was more clear and evident to him than the truth of the Christian dogmas; and these, the more they were beyond the grasp of human intellect, the more vehemently did he embrace them. And so, when he approached the august Sacrament, he seemed to be so deeply moved that he appeared to rest his entire soul in contemplation of that great mystery; indeed, as our predecessor Gregory said, "He beheld with the eyes of his mind the body of our Lord Jesus Christ in the most holy Eucharist so clearly, that he declared that there was nothing he envied those who had seen the Lord with their bodily eyes" (Bull, canon.). And rightly did his faith lead him to the point that, when he delved deeply into the mysteries of God, or those things which are most high and most distant from human understanding and feeling, he would explain them so clearly that it would not be unreasonable to compare him to Moses, to whom it was permitted to enjoy converse and the very sight of God. Who can deny that he so ardently desired to share with others, who lacked this gift of faith, the very thing that he so greatly desired? Even before he had left childhood, he decided and resolved to go to Africa, to bring Christ to those savage peoples, or to shed his blood (Hymn. Breviar.). And although he was unable to accomplish this, he lamented the miserable fate of the pagans and heretics, and he envied those who led the minds of men from the darkness of error and vice to the light of truth and virtue, as long as he lived. But if his sex and condition of life were an impediment to his apostolic work, then Elijah, as if clothed with the spirit, instituted an apostolate of prayer and penance. Therefore, since he was forbidden to actively engage in the propagation of the faith, he devoted himself to it with all his might, diligently following the evangelical counsels, for he was not in doubt that his prayers, with which he implored the growth of the Christian name and the salvation of souls, would have greater weight with God, owing to the holiness of his life. Finally, his zeal for preserving and spreading the Christian doctrine is also evident from the fact that he had many catechisms made, and he preferred to have his daughter frequently read these diligently in his hands, rather than any other book. And this, too,

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is among the most important praises of Teresa, and it should be especially commended as so contrary to the customs of the world: her singular piety towards Jesus Christ, our Lord.

[*Latin ed. p. 140*]

From the Acts of the Apostolic See - Official Commentary, page 140. It is to be lamented that this is commonly forgotten, that when the Apostles inquired as to the way in which they should strive towards God, Christ answered: "I am the way, the truth, and the life. No man cometh to the Father, but by me." Indeed, the Quietists who were then called, as well as certain moderns who claim to remember, neglected this; but it was deeply ingrained in the mind and soul of this Virgin. Therefore, she wished to attribute all that she received from God to Christ; whatever good she hoped for from God, she wished to expect from Christ; to hold Christ alone as either teacher for the shaping of morals, or as guide for ascending the degrees of divine contemplation; and she declared those who thought thus to be blessed, while those who acted contrary to this were most wretched, being devoid of faith. From these sentiments, there was no great divergence in the manner of living: for she always strove with all her might for nothing other than to draw her life from the example of Jesus Christ, and to reflect His image more and more within herself, so that she might rightfully claim the words of the Apostle: "For to me, to live is Christ." Having such a guide of life before her, she readily renounced all earthly things, and diligently sought to cleanse even the smallest blemishes from her soul, and to pursue the ornaments of virtue. Thus, she gradually attained to the likeness of her Lord, so that whatever He, while living his mortal life, suffered in sorrows, anxieties, and pains, she also felt, and likewise His consolations and joys, through intimate communication of charity. And when this charity inflamed her soul to such a degree that it also sharpened her mind, it happened, by a singular grace of God, that she not only perceived the perfect and accumulated virtues of Christ the Man, but also penetrated the inaccessible depths of the Word, and was made worthy that many of the mysteries of the august Trinity might be revealed to her, and that she might hear the Son of God say to her: "Henceforth, as a true bride, you will zealously guard my honor; now I am entirely yours, and you are entirely mine."

It is not necessary to discuss in detail how diligently she observed the obligations of this marriage: it is known that, having previously sought not what was her own, but what belonged to Jesus Christ, she afterwards, until her last breath, lived not for herself, but for Christ. But it must certainly be noted how, striving for the greater glory of her Spouse, she behaved towards two things in particular, which are the greatest of all that the infinite love of Jesus has found, and which, as if proceeding from the soul of one either dying or asleep on the cross, ought to be most dear to every good

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person: we speak of the Eucharist and the Church.

[*Latin ed. p. 141*]

Acta Jfii PP X 141. For who ever has more magnificently praised the wisdom and goodness of God, who, having instituted this Sacrament, in an incredible manner accommodated Himself to our weakness, satisfied His own charity, and prolonged forever the sacrifice by which He once redeemed the human race? Who desired the Bread of Angels more ardently? For while good men did not so often frequent this table, Therese approached it daily, and indeed with such eagerness that she seemed to be unable to be prevented from receiving the divine food, even if a field of swords stood in her way. Who was more pained when men showed themselves either negligent or impious in this Sacrament? Who more diligently compensated for the immense injuries inflicted upon this mystery? And she did not cease to urge her own pupils to do the same with the utmost care. And sometimes, as if unable to bear the sting of excessive grief, she cried out to God, begging that He either quickly put an end to such great wickedness on the part of ungrateful men, or utterly overturn the world. How much she loved the common Mother of Christians! For she affirmed that no one could love God sincerely unless, as they sought the glory of Jesus Christ, so too they sought the growth of His Bride. How much, in all things, did she, as a devoted daughter, demonstrate obedience to the Church! How much divine praise is given to the Church by Christ, its Author! Indeed, if it does not seem too presumptuous to those who judge things only superficially, it is truly astonishing that so virtuous a woman, adorned with the gifts of the Holy Spirit and accustomed to the divine majesty as if in a familiar manner, should have made so much of those helps of divine grace, which are called sacraments, that she declared herself ready to die a thousand times for them, and therefore for the smallest rite of the holy Church. But as she was full of keen judgment and heavenly wisdom, she did not fail to notice that the affairs of the Church, whether good or bad, depended greatly on the morals of its administrators, and that much more for the salvation of souls, one priest who walked rightly in his duties would profit than many who stumbled. Therefore, while she grieved deeply at seeing the Church so beset by trials and so many deserving eternal ruin, she also, through austerity of life, corporal discipline, and constant prayer, implored God that the Church be filled with priests, who, properly instructed in doctrine and endowed with suitable virtues, might serve the salvation of others, so that they themselves might not suffer harm. And Therese did not consider that she herself had done enough to benefit the common good; but, because it is the nature of charity to pour forth its beneficial power upon as many as

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possible, she sought out helpers for herself, whom she then instructed.

[*Latin ed. p. 142*]

Acts of the Apostolic See. – She left a lasting legacy for those who would follow in her footsteps. "After having, with a wondrous victory, overcome the weakness of the flesh through perpetual virginity, having astonished the world with admirable humility, and having vanquished all the devices of the devil with many and the greatest of virtues, striving for even greater things and surpassing the power of the senses with the magnitude of the soul, she girded her loins with strength and strengthened her arm, and she instructed valiant soldiers, who would fight for the house of God Sabaoth, and for His law, and for His spiritual arms" (Bull, canonie.). Inspired by the double spirit of Elijah, and conspiring with divine Providence along with her brother, John, she sought to restore the illustrious Order, to which she had given her name, to the ancient rigor of discipline. It is a great purpose, and one that is difficult to achieve; yet, no one can deny that she happily, and more quickly than expected, attained it. Therefore, through the work of Saint Teresa, a great multitude of people were able to admire, during that time, those who, having withdrawn from the turmoil of common life to dedicate themselves to God, emulated the ancient hermits of Carmel and Thebais, enduring a rigorous way of life, but softened by much heavenly contemplation; and those who learned through contemplation whatever was conducive to eternal life, henceforth shared it with others, either through the apostolate of penance and prayer, as we have said, or through the active performance of sacred duties. Indeed, my beloved sons, we have long known that you do not deviate from the virtue of your elders, and even less do you degenerate from the spirit of Saint Teresa; for we have had a domestic relationship and familiarity with your Order for a long time. Now, however, when the opportunity arises, we wish to openly and frankly express the great benevolence with which we embrace both the daughters and the sons of that great Mother. And truly, the institution of life that she held is never to be sufficiently praised, for those who, having renounced the riches, praises, and delights of the world, and having chosen the austerity of the sacred retreat, are consumed by the fire of charity at the altar of Christian penance, as a pleasing sacrifice to God; and who, unknown to this world, do not cease to implore the salvation of the world, day and night. No less are to be praised those religious men who do not devote themselves solely to the contemplation of divine things, but who, contributing to the action of life, rightly and in order, have accustomed themselves to spread abroad the good odor of Christ, which they have cultivated within their cloisters through the practice of great virtues. Therefore, my beloved sons, you will not only constantly maintain, but will also ensure that this twofold way of life, of contemplation and action, in the manner and according to the example of your Fathers, always flourishes within you. Now, more than

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ever, if ever there was a time, the Church needs such ministers of the sacred rites, who abound in both contemplation and action, in intimate union with God, and in charity towards men, just as Saint Teresa herself desired above all else.

[*Latin ed. p. 143*]

Acta PP. X, 143. Finally, since the desire for novelties, which dominates so much today, has invaded even the very field of ascetic and mystical discipline, it is clear how important it is to diligently observe, in this double sphere, what Saint Teresa taught. For the Almighty filled her with the spirit of intelligence, so that she not only left examples of good works in the Church of God, but also watered her with the rains of heavenly wisdom, "having written on mystical theology and other books also replete with piety" (Bull. Canonization). Indeed, whoever reads these will surely find no further document needed for establishing a holy life. For here, the most excellent teacher of piety demonstrates a safe path, from the very beginnings of the Christian life, to the attainment of perfection in virtue; here, she accurately presents reasons perfectly suited for correcting the perversities of the mind, or for calming disturbances, or for removing blemishes; here, finally, she provides the reader with whatever are the incentives to virtue. And in explaining all these things, she not only shows a remarkable knowledge of divine matters, but also clearly indicates that the nature and all the hidden depths and recesses of the human soul are deeply known to her. From this great knowledge of human weakness, which inclined her tender heart to mercy more than it should have, that power of prayer and that sweetness, which wonderfully move hearts, must be sought, as our blessed predecessor, Pope Leo XIII, affirmed concerning the writings of Saint Teresa: "There is in them a certain power, closer to the celestial than to the human, a most wonderful reformer of life, so that they should be read with complete benefit, not only by those who are studying how to govern souls or who desire a more divine holiness, but plainly by everyone who thinks a little more carefully about duties, about Christian virtue, that is, about his own salvation." Indeed, as far as mystical theology is concerned, she traverses those highest regions of the spirit with such freedom in her discussions, that she seems to dwell there, as in her own kingdom. There is no secret of this discipline that she does not keenly discern, and, ascending through all the degrees of contemplation, she is carried so high that only those who have experienced the divine affections of the soul can attain to her; and yet, she explains nothing that has not been drawn from the deepest well of Catholic theology, and she explains it so conveniently and so clearly that the most noble doctors of her time admired how that which the Fathers of the Church had generally and obscurely transmitted on mystical theology, this Virgin had reduced into a single body. But for us, considering the errors of these times, it seems very worthy of note that Saint Teresa, in her

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writings, [1] mentions...

[*Latin ed. p. 144*]

The Acts of the Apostolic See - Official Commentary 144, with mystical discernment, not only accurately distinguishes between what is human and what is divine, and acutely describes the faculties of intellect and will, but also teaches that these very movements should always be accompanied by the practice of all virtues. For it teaches that the degrees of prayer are enumerated, as if they were so many ascents in Christian perfection; indeed, a man's progress in prayer is most clearly seen in this, if he observes the religious duties and strives to conform his manners more holily; and the more anyone mystically unites himself with God, the more fervent his charity becomes towards others, and the more concerned he is for the salvation of souls.

All these things show how rightly those who have written about such difficult matters have revered and followed Saint Teresa as a teacher, and, which is more important, how justly the Church has customarily paid honor to this Virgin, with the honors due to Doctors, imploring God publicly "that we may be nourished by the celestial food of her doctrine and instructed in pious devotion." Oh, that those who now discuss, as they say, mystical psychology, would not stray from the footsteps of such a great teacher! You, beloved Sons, have certain special things to say in praise of Saint Teresa; which, when disseminated by you, seem to be able to greatly increase her veneration among the people, and to add solemnity to the liturgical and secular activities that you will undertake. It is desirable that she flourish among all the good, "who - as it is clear from what we have said - shone like the most brilliant star of Carmel, and illuminated the Catholic Church with the virtues of an angelic life, with the teachings of heavenly wisdom, and also with the example of such a great mother and teacher, faithfully following her."

In order that these celebrations may be more fruitful for you and others, we grant a plenary indulgence, valid for the year 1914, to all those who, having duly fulfilled the customary prescriptions of the Church, either individually or in groups, visit one of the following churches; or the church of the Carmelites of Ávila, where Saint Teresa was born; or the Discalced Carmelites of Ávila, where she began the reform of her Order; or the Barefoot Carmelites of Ávila, where she resided for a long time; or the Discalced Carmelites of Alba, where her sacred body rests. Furthermore, we also grant a plenary indulgence once to those who visit any of the aforementioned churches or a public or semi-public oratory, as prescribed in Leo XIII, Epist. ad Ep. Salmanticensem, October 10, 1882.

[*Latin ed. p. 145*]

The Acts of the Most Holy Father, Pope Pius X, number 145, concerning

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the celebration by the Carmelites of the first, second, and third Orders, during those days in which triduum or novendial devotions are held in those same churches or oratories. Meanwhile, as a witness to the celestial benefits and the paternal benevolence of Ourself, We impart to you, beloved son, and to all the students of Saint Teresa, Our most fervent apostolic blessing. Given in Rome, near Saint Peter's, on the seventh day of the month of March, in the year 1916, in the eleventh year of Our pontificate. PIUS PP. X. TO THE REVEREND FATHER, HENRY OF SIBILIA, ARCHBISHOP TITULAR OF SIDENSE, APPOINTED PONTIFICAL LEGATE TO THE REPUBLIC OF CHILE, WHO, AT THE CONCLUSION OF THIS OFFICE, IS NUMBERED AMONG THE ECCLESIASTICAL PRINCES STANDING BEFORE THE PONTIFICAL THRONE, BY THE MOST BENEVOLENT FATHER. Venerable Brother, greetings and the apostolic blessing.

Our thoughts fly to you in Rome, eager to express our appreciation for the manner in which you have fulfilled the duties of a papal legate, thereby strengthening and enriching the bonds of friendship between Us and the Republic of Chile. The proofs of your character, intellect, and counsel are not unknown to Us; and We desire that, at the conclusion of this office, which for more than five years you have held with such distinction before Us, your merits be recognized and publicly praised through these letters. Indeed, nothing of the diligence due to you has been lacking; you have greatly deserved well of the Church and of all that is excellent in human affairs. Furthermore, we know that citizens of all ranks, and especially the most distinguished men who govern the Republic of Chile and the esteemed assembly of Bishops, share our judgment of you and your virtue. But, alas! There were those who, quite forgetful of the religion and the civility with which the name of the Chileans has been so greatly honored, or who were less sincerely attached to the Apostolic See, who went so far as to treat you with calumnies and insults. These wretches immediately atoned for their misdeeds with expressions of repentance, reprobation, and the most heartfelt demonstrations of their esteem for you. It is Our intention, Venerable Brother, to continue to make use of your wise efforts, and when the time comes, We shall call you to higher duties. In the meantime, may no honor be lacking to you.

[*Latin ed. p. 146*]

146 From the Apostolic See. – As a testimony of Our benevolence and a well-deserved reward, We have decreed that you be admitted among the prelates of the Church who stand closest to the pontifical throne. Finally, may the apostolic blessing be added, which, with the favor of heavenly graces, We impart to you from the heart. Given in Rome, at St. Peter's, on the twenty-second day of January, in the eleventh year of Our pontificate. PIUS PP. X.

SACRED CONGREGATION OF RITES. DECREE CONCERNING

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UNUSUAL TITLES FOR CHURCHES AND SACRED IMAGES WHICH SHOULD NOT BE USED.

Recently, the Sacred Congregation of Rites inquired: "Can a church be called the 'Most Sacred Heart of Jesus,' and can the title be placed on an image or statue on the main altar?" And the same Sacred Congregation judged it fitting to respond: "The Ordinary Bishop of the place, in such a case, should replace the 'liturgical title,' both for the church and for the image or statue, with the proper feast day to be observed and with an approved office, for example, 'Most Holy Redeemer,' or 'Most Sacred Heart of Jesus,' or 'Most Precious Body of Christ,' etc.; according to other responses of the same Sacred Congregation in similar cases, which are entirely in accordance with the prescription of the Most Holy Pope Pius IX of January 13, 1875, and the decree of the Sacred Universal Inquisition of the feast of the Ascension, May 27, 1891: with the provision, regarding sacred images or statues, of the decree of the Council of Trent, session 25, concerning the veneration of saints and images, and the Constitution *Sacrosancta Tridentina* of the blessed memory of Pope Urban VIII, March 15, 1642 (Decree S. R. C. n. 810)." And thus it was decreed and ordered to be observed, on March 28, 1914.

Fr. S. CARD. MARTINELLI, Prefect.

Petrus La Fontaine, Bishop of Charyste, Secretary.

[*Latin ed. p. 147*]

The Holy Congregation of Bishops, in its Decree S. U. I., on Thursday, May 27, 1891, communicated by letter on the 30th day of the same month and year to the Sacred Congregation of Rites, decreed: "New emblems of the Most Sacred Heart of Jesus in the Eucharist are not to be approved by the Apostolic See. It is sufficient to have the images of the Most Sacred Heart of Jesus already in use and approved in churches; because the worship of the Most Sacred Heart of Jesus in the Eucharist is not superior to the worship of the Eucharist itself, nor is it different from the worship of the Most Sacred Heart of Jesus." Furthermore, in remembrance and as a norm, the prescription of the Most Holy Pope Pius IX of January 13, 1875, was recalled, namely, "that the faithful, even writers, who sharpen their talents on such matters and others of the same kind which suggest novelty, and who, under the guise of piety, seek to promote unfamiliar forms of worship, even through periodicals, should cease from their purpose, and should avoid the danger of leading the faithful into error, even concerning the dogmas of the Faith, and of giving an opportunity to the enemies of the Religion to undermine the purity of Catholic doctrine and true piety."

SACRED ROMAN ROTA, CHAMBERS. DEFAMATION. During the happy reign of Pope Pius X, in the eleventh year of his pontificate, the Most Reverend Fathers and Doctors, M. Lega, Dean, Ponens, Guilelmus Sebastiani, and Seraphinus Many, Auditors of Tournon, in the case of

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Chambers - Defamation, with the plaintiff, D. Julius Lemire, priest of the diocese of Cameracen, represented by his legitimate procurator, advocate Vincent Sacconi, against DD. Henricum Delassus and the parish priest Beck, the defendants represented by their legitimate procurator, advocate Nazarenus Patrizi, on January 27, 1914, pronounced the following final judgment. Julius Lemire, priest of the diocese of Cameracen, a representative of the people in the public elections of Galliae, brought a lawsuit for defamation against the Reverend Henry Delassus, a priest and editor of the periodical *La Semaine religieuse du diocèse de Cambrai*, and the Reverend Beck, the parish priest of the place of Ameke, of the same diocese; but he did not bring the same action against both of them on the same grounds.

[*Latin ed. p. 148*]

148 Acta Apostolicae Sedis - Official Commentary. Indeed, against Delassus, three heads of injury arise from defamation: 1) because here, in the aforementioned periodical, on May 20th, a document was published in which it was asserted that the priest Lemire had been expelled from the list of canons for the honor inscribed among the canons of the cathedral church of Bourges, and this contrary to the truth; 2) because he was publicly denounced by the same periodical in the issues of May 20th and 27th, and June 10th, 1911, as having been subjected to a disciplinary suspension, since he had drunk and eaten in a public tavern, accompanied by a crowd of his chosen followers, gathered there at his invitation, thus scornfully and violating the diocesan statutes, which prohibit clerics from drinking and eating within the boundaries of their parish in a public tavern under penalty of incurring suspension by such an act; 3) because he did not hesitate to assert in the periodical of June 10th, 1911, that he had long ago abandoned, indeed, trampled upon, his own priestly dignity, writing: "As for his priestly honor, it is long since Mr. Abbé Lemire has made a mess of it." Against the parish priest Beck, there are injuries, since he publicly, or before a large crowd, forbade him from celebrating the Sacred Liturgy in the parish church. For, on the recurring feast day of Saint Gowaert, a large gathering of pilgrims is usually held in the town of Oppido. On May 7th, 1911, the Lord Lemire, as was his custom, went there and requested to celebrate the Mass in the parish church, in the presence of a large number of pilgrims. But the parish priest forbade him to say Mass, saying that this priest could only celebrate it there with great scandal to the faithful, because of what had happened in the town a year earlier, on the occasion of the election of Mr. Lemire as a representative of the people. This is the substance of the complaints: and the Tribunal of Camerac has already issued judgments, in which it has ruled that the actions of defamation and slander cannot be pursued against the defendants. I say judgments: because it has issued two judgments, or rather, one on February 8th, 1913, in the case

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of Lemire-Delassus; and another, also on February 8th, 1913, in the case of defamation, Lemire-Beck. This Tribunal wanted these to be distinct judicial pronouncements, because the head of the complaint was distinct in each case. In the case of H. S. O., on the contrary, as is customary, there will only be a double formula for requesting [action], to which the Sacred Tribunal will respond, giving a definitive judgment. Furthermore, the Tribunal of Camerac also considered the action of defamation from a penal perspective, that is, whether there was grounds for a penal prosecution against the defendants, and it ruled that no penal action could be brought against these individuals, even if requested by the Promoter of Justice.

[*Latin ed. p. 149*]

The Roman Rota, in case 149, states that the formulas for petitions presented by the plaintiff through his procurator only raise the issue of a civil action for defamation and injury, or for compensation. However, it is entirely proper, as the sacred Canons permit, to also institute an action for punitive damages, which the Most Reverend Lords of Turno did not consider to be obligatory. Therefore, the present controversy is contained within these doubts: 1. Does it appear that the reputation of Mr. Lemire was injured and damaged by the local parish priest of Ameke, such that there is grounds for compensation in this case? 2. Does it appear that Mr. Delassus defamed and damaged Mr. Lemire, such that there is grounds for compensation and reparation in this case? Furthermore, in resolving the first doubt, it should be noted that, with regard to the facts, the Lords should be aware that in the records, the facts presented in the complaint by the parish priest and his assistant are as follows. Specifically, it is stated that on the day before Sunday, or May 6, 1911, a certain rumor began to spread among the people that Mr. Lemire would arrive early in the morning and would readily seize the opportunity to celebrate Holy Mass in order to honor himself and his *gesta* and with sacred rites. Indeed, it was the anniversary of the day on which Mr. Lemire was elected as the people's orator, and among the cups and in popular assemblies, he loudly proclaimed and recommended political views that were highly displeasing to faithful Catholics, and especially to sacred prelates, because they were contrary to sound Catholic doctrine and the common good of the Church in Gallia. Moreover, Mr. Lemire himself, in the assembly of the people's orator, on more than one occasion uttered words that gravely offended the minds of the faithful: thus, at the beginning of the year 1911, with regard to the current issues in religion and philosophy, he stated that not only tolerance, but also obedience was due: "If we are in agreement on the mutual respect of our religious convictions and our philosophical opinions, we will have taken a huge step towards the pacification of this country." When the people's orator Talamas interrupted him, saying, "Free thought must also be respected," Mr. Lemire replied, "I have never told you that

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I do not respect free thought." These words are undoubtedly absurd and highly scandalous. Furthermore, on October 2, 1910, a large democratic banquet was prepared in the town of Hazebrouck in honor of Mr. Lemire and his friends, who had achieved victory in the recent political elections; moreover, as reported by the Most Reverend Archbishop Delamaire, assistant to the Most Reverend Archbishop of Cameracen: "After... the scandalous banquet of October 2, I consider his presence in Parliament more and more as..."

[*Latin ed. p. 150*]

150 Acta Apostolicae Sedis. - Official Commentary "misfortune." The aforementioned gatherings, as noted by the superiors, were all the more scandalous because a priest, Monsieur Lemire, was present at them, openly violating the statutes of the diocese of Cameracensium. Furthermore, on February 5th, 1911, another gathering was prepared in the town of Hazebroùck by the so-called "Congrès de l'Union des Sociétés de Gymnastique du Littoral," to which Monsieur Lemire attended along with others, including several members of the Masonic sect, and in which the aforementioned priest, Monsieur Lemire, twisting the venerable words of Christ to a foreign and profane meaning, astonished everyone: for he said: "Christ was the first anticlerical, when He said: 'Render unto God the things that are God's, and unto Caesar the things that are Caesar's.' By these very words, He separated religion from politics. There is a word upon which we do not preach enough: 'I am come that they might have life, and that they might have it more abundantly.' Yes, you are right, Monsieur Vachmar, Christ would be with the gymnasts today, because they contain a wider and more generous life." To all of this must be added a new public and notorious violation of the statutes of Cameracensium, as mentioned above. Finally, in the very town of Arneke, on May 2nd, 1910, a few days before the political elections, Monsieur Lemire, in a conference he held, said many things contrary to Catholic sentiment and offensive to pious ears, e.g., that in the Gallican Republic there is no difference between free schools, that is, Catholic schools, and public schools, that is, so-called neutral schools; that schoolbooks, which the bishops had condemned, contain nothing worthy of reproach; that the famous investigations (inventories) into ecclesiastical property were not, on the part of the government, anything other than preservative acts; and other similar things from which arose a grave scandal among the faithful. On May 8th, which was the day of the elections, in the same town of Arneke, he himself, at the time of Mass and near the parish church, held another conference in which he spoke about the good and bad newspapers, to refute those which the assistant pastor had explained a short time before, on that very day, about those newspapers during the celebration of Mass, by order of the Ordinary; which caused an even greater scandal to the faithful. Seeing how great a loss in the Catholic

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sentiment of the faithful, how great a scandal had been caused by the presence of such a priest solemnly in the church receiving the Holy Host, and also because there was not enough time to warn the Cameracensium curia to give instructions on the matter, they considered a suitable way to avoid such an inconvenience without causing alarm to the faithful. The assistant pastor, with the consent of his pastor, began to devise a plan.

[*Latin ed. p. 151*]

In Romana, on the 15th of the month, intending to take up a public position on the railway line, and at the hour when the aforementioned priest was expected to arrive, he was informed with the intention of advising him to abstain from celebrating the Holy Mass in the parish church, which he could conveniently do in the church of the Hospice, where everything was prepared for this purpose. Indeed, on that Sunday morning, the assistant vicar went to the railway station. However, as has been narrated, the arrival of the priest and other travelers was delayed, occurring later than the time stipulated by the schedule; therefore, the vicar was forced to attend to other matters and was unable to wait for the arrival of this priest. However, neither this circumstance was overlooked by the aforementioned priest's pastor and his assistant, and in order to meet him, they decided to lock up all the sacred vestments and furnishings in the sacristy, and they instructed the clergy not to approach or assist the aforementioned Dom Lemire if he were to request to celebrate Mass. When he arrived, he immediately went to the parish church and found the pastor warming himself in a certain room within the church. He greeted the priest amicably, extending his hand as is customary among friends; but the pastor did not respond to the greeting, nor did he nod, intending that the priest Lemire should understand that he should leave the church. However, he entered the sacristy, seeking the sacred vestments and furnishings for celebrating the Mass, which he did not find; and, waiting for a priest to return to the sacristy to celebrate Mass from whom he might borrow these items, he was delayed. Had this happened, he would have begun to put on the vestments; but a cleric was not present to assist the celebrant, nor were other things necessary for the Holy Sacrifice available; therefore, Lemire was delayed for nearly half an hour, and, perceiving that he was being prevented from celebrating Mass without reason, he put down the sacred vestments, intending to question the pastor as to whether it was truly not permissible for him to celebrate Mass. He found the pastor sitting in the choir, surrounded by faithful pilgrims attending Mass, and when he asked the pastor whether it was permissible for him to say Mass, the pastor initially replied: "Ask the vicar," but, when the priest Lemire insisted that the pastor answer, the pastor replied in no uncertain terms: "No." These circumstances, having become public, began to be discussed openly, and the complaints that Lemire made against the pastor, who, in his opinion, had inflicted such

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an injustice upon him, led to the judgment that the pastor was abusing his authority, which is the authority to impose censures and prohibitions from the Sacraments. He does not deny these circumstances, and indeed, his advocate does not entirely obscure them, and they are asserted in the judgment of Cameracensi.

[*Latin ed. p. 152*]

152 Acta Apostolicae Sedis. - The official commentary states as follows: "Considering that, during the hearing of December 4th, Mr. Lemire, the plaintiff, and Mr. Beck, the defendant, accepted a recounting of the facts as materially accurate in its main points; and that, at the same hearing, they declared that there was no need for an investigation... Therefore, the aforementioned facts, as narrated above and with their accompanying details, are to be considered as true and admitted by the parties," the Lords declared. Nevertheless, the Lords noted that Mr. Lemire, during the judicial hearing, had objected, stating that he knew nothing about this, and that a chapel for the Sacred Hospitallers had indeed been

prepared. However, from the narration of the facts, it is clear that Lemire did not know about this, nor was he intending to avoid public attention in this manner, since he did not have a prior conversation with the Vicar, nor was he instructed by him to go to the railway station. With these premises, the Lords stated that it must be considered, in law, whether, with these details of the facts, the injury of which the priest Lemire complains is contained, and what must be compensated for, as he claims. Furthermore, here we are speaking of injury, not of defamation properly speaking, since the violation of the law was caused, not by words, but by an action, with great dishonor to the priest. This type of injury is undoubtedly covered by the sacred canons, under Title XXXVI, on injuries and damages, book V, X, and is the common interpretation among Doctors of Law and in the courts: indeed, the words of chapter IX leave no room for ambiguity: "If damage has been caused by your fault, or if an injury has been inflicted by law concerning these matters, you must compensate for it, and ignorance is no excuse to you, if you should have known from your actions that an injury could likely occur or be caused." Therefore, in canon law, this law is held, derived from Roman law, and enunciated in the fragment of Ulpian, 1, in Dig. De iniur., 1, 47: "An injury is said to be that which is done not according to law... § I, "Labeo says that an injury is caused either by action or by words." In the matter of injury, if indeed there has been an injury, it is caused by an action or by the prohibition of celebrating Mass. Complaints of injury cannot be valid, unless it is shown that an injury, or a violation of the law, has been committed. First, it must be considered whether the priest Lemire had the right to celebrate Mass in the parish church of the place called Ameke. Indeed, every priest, by virtue of the sacred order of the priesthood, assumes the right, indeed the duty and obligation, to celebrate

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Mass, as long as he is not prohibited by legitimate authority, for legitimate reasons, from exercising this right. However, this right is subject to certain rules.

[*Latin ed. p. 153*]

On the 15th of September. Since foreign and itinerant clergy are to be prohibited from celebrating Mass, unless they possess letters of commendation from their own Ordinaries, or are otherwise known in such a way that there can be no suspicion that they are subject to irregularity or suspension. This was decreed at the Council of Chalcedon, the decree of which is referred to in canon 7, dist. 71, in the Decretals of Gratian. The same is prescribed in the aforementioned chapter V, concerning itinerant clergy, in the Decretals of Gregory IX, and was explained more explicitly by the Council of Trent in session XXII concerning the Sacrifice of the Mass, and in session XXIII, chapter 16, concerning Reservations. All of these things were declared by the Most Holy Congregation of the Council of Trent in its Instruction of October 12, 1709, as cited by De Albertis, on sacred vessels. Therefore, the right of clergy to celebrate in churches, other than those to which they are assigned, is subject to certain rules and conditions, so that pastors of churches are not necessarily obliged to admit any priest who wishes to celebrate the Mass. There is no canon law that grants priests an absolute right to this, nor does it impose upon pastors or other rectors of churches the obligation to admit any priest who wishes to celebrate. Nor do letters of commendation from a priest's own bishop (commonly called "celebret") grant the priest who presents these letters this aforementioned right; for these letters authentically testify that the priest is not subject to any censure or other canonical impediment, and therefore can be safely admitted to the celebration of the sacred rites; to the highest degree, the bishop's commendation is a recommendation whereby he commends the priest to the benevolence and charity of the pastors of churches. Therefore, it is the established jurisprudence of the Holy Congregations that a pastor or other rector of a church is not obliged to provide sacred vestments and other things necessary for the sacrifice of the Mass to a priest who wishes to celebrate. Thus, the Holy Congregation of Rites, in Egitanien, on June 10, 1692, in response to this question: "Can a bishop compel the rectors of parochial churches of his diocese to provide wine, hosts, vestments, and other things necessary for celebrating Mass to priests residing in their parishes and wishing to celebrate in their churches, according to ancient custom?" replied: "Bishops cannot compel the aforementioned rectors, but may exhort them, and the rectors will act properly if they obey the exhortations and admonitions of the bishop" (Decree, authentic, no. 96). This decision was reaffirmed, using precisely the same terms, both in the case of the curate in Soanen, on May 31, 1698, and in the case of the pastor in Nebien, on March 31, 1703 (loc. cit., nos. 1999, 2197). The

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Holy Congregations of the Council in Derthonen, on July 6, 1726, and of the Eastern Churches and the Roman Congregation, in Montis Falisci, on May 15, 1699, also followed this discipline (in Girai, ad Barb., de offic. et pot. par., part. I, cap. 11, nos. 51-52). ACTA, vol. V, no. 5. — 31-3-914. 11

[*Latin ed. p. 154*]

154 Acta Apostolicae Sedis - Commentarium Officiale. It is also useful to note that, in some cases, the granting of the faculty to celebrate Mass includes the express caution that priests must obtain the consent of the rector of the church in which they wish to offer the sacrifice. Thus, the faculty granted by the Romana Curia is expressed in these words: "To you, beloved N. N., whom we esteem in Christ, we grant and bestow the license that, with the consent of the rectors, you may celebrate in whatever churches of the alma Urbs [Romana] and its surrounding territories." However, in the case of the priest Lemire, who was located in his own diocese and had celebrated Mass several times in the parish church of Arneke with the consent of the same parish priest, it must also be considered, the Lords observed, whether the parish priest acted lawfully and legitimately in prohibiting him from celebrating Mass, from which a serious inconvenience and not a slight damage to the reputation of the complaining priest arose, and this is the foundation and the strongest reason for the complaint. Regarding this matter, it is certain that the parish priest does not possess ordinary jurisdiction in the external forum, and the doctrine of the Jansenists, which asserts that parish priests have a necessary part in the ecclesiastical hierarchy, is to be rejected and condemned (Bouix, de par., p. 93 ssq., Devoti, Inst. Can., I, § 87, not. 1, Wilmers, de Chris. Eccl., pag. 340 ssq.). Nevertheless, it cannot be denied that parish priests possess a certain external administrative power by which they govern the small, imperfect society, that is, the parish entrusted to them. Therefore, Wernz teaches (Ius decret., II, no. 818): "For parish priests, by virtue of their office, can give precepts (regarding the prohibition of marriage) or investigate (in the examination of betrothed persons regarding impediments), or even coerce the disobedient; also, by virtue of their canonical mission, they exercise a public ministry and a certain voluntary jurisdiction." Therefore, the power of parish priests, although it is not a perfect and complete jurisdiction in the external forum, is nevertheless a certain economic or domestic power within the parish as an imperfect society, which, in addition to the jurisdiction of the penitential forum, also has a truly external administration attached to it. Because of the office entrusted to the parish priest, namely, to administer his parish, or to govern a portion of the Christian people, by removing obstacles and impediments in particular cases that are contrary to their sanctification, the power recognized by the Doctors to grant dispensations from the law of fasting in particular cases and for particular persons; to grant indulgences, also to particular persons, not to the entire parish; and to grant permission

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to particular persons to abstain from servile works on feast days. Thus, Giraldi, Additament. ad Barb. de par., p. I, c. 16, n. 3, and D. Alphonsus, Theol. moral., 1. III, nos. 228 and 1032. This holy Doctor rightly points out that the parish priest does not merely interpret the law in a particular case to determine that it does not obligate, which can be provided by a private doctor.

[*Latin ed. p. 155*]

The Roman Rota could, perhaps, have decided otherwise, but rather, the power to grant dispensations was likely attributed to it by legitimate custom, specifically in particular cases and with certain individuals facing a grave necessity, in order to alleviate the anxieties of the faithful. This conclusion is so safe and well-founded, as the blessed Ligori states in the aforementioned work, III, n. 1032, that "Indeed, it is very probable that the parish priest can grant a dispensation, even in the presence of the bishop." Therefore, the Lords considered that in this case, nothing prevented the declaration of the Cameracen court, which had not, in fact, granted anyone the faculty to prevent Mr. Lemire from exercising the divine ministry. Thus, the priest Beck cannot be accused of incompetence or ignorance, and therefore, Mr. Lemire cannot invoke the prescription cited in chapter 9, concerning injuries, which states that damages must be compensated even if they occurred due to the incompetence or ignorance of another. However, the Lords noted that the parish priest Beck acted prudently in the disputed case. He did not say that Mr. Lemire could not celebrate in his parish, but rather, he judged and ordered that it would not be fitting for him to celebrate before those faithful, and in their presence, due to the particular solemnity of the occasion, which would cause them a very serious spiritual detriment. The parish priest would gladly have allowed this priest to celebrate in another place, such as in the church of the Hospice, and would even have offered him assistance. Therefore, he exercised his right, and indeed, fulfilled his office, when he forbade the complaining priest from celebrating Mass. From these concluding observations, the Lords stated that something else was lacking, and equally necessary for the claim of injury, namely, the deceit or the intention to injure on the part of the parish priest Beck, when he gave these instructions. For he had such a concern for avoiding any harm to the reputation of this priest that he deliberately chose to go to the train station, with the intention of persuading the priest himself to voluntarily refrain from celebrating Mass in the parish church, when everything was prepared in the church of the Hospice. In the hearing, Mr. Lemire objected to this detail, but since he did not request a judicial investigation, and rather, he readily waived it, it may be presumed that he did not wish to challenge the truth of this fact, the importance of which certainly could not escape him, given the purpose of the action he had initiated. Furthermore, the other arguments already mentioned, with

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which the Parish Priest and the Vicar attempted to persuade this priest to voluntarily refrain from celebrating Mass, as if of his own free will, rather than having an explicit prohibition imposed, clearly demonstrate that they understood that it would be most beneficial.

[*Latin ed. p. 156*]

156 Acta Apostolicae Sedis - The official commentary explicitly forbade any action that would harm that priest, which they endeavored to prevent as much as possible. The very fact that the parish priest did not return the greeting when Mr. Lemire entered the sanctuary, and that the subsequent delaying response, when, after a very long wait and so many indications of denial, he asked the parish priest for permission to celebrate Mass, and the parish priest referred him to the Vicar for an answer, did not this clearly indicate a desire not to give a direct refusal, especially with so many faithful parishioners and pilgrims present, lest this become too serious for him? Therefore, the Lords stated that there was no intention whatsoever to cause offense, and that this act of offense, which in civil law would be remedied by compensation for damages, should be corrected. As for the law, it is expressly stated in Digest 3, § 1, De iniur., that "An injury consists in the intent of the one who commits it." In this case, this cannot even be presumed: if the words or actions are inherently injurious, then it is presumed that there was malice; on the contrary, if the act is not inherently serious or prohibited, then malice on the part of the actor must be proven by the one who brings the complaint of injury; for malice is not presumed in these circumstances. Menoch., De praesumpta, lib. V, praes. 3, n. 17. Mascard., conclus. 902 and 903. Maschat., Instit. canon., 1. V, tit. 36, n. 6. However, the parish priest Beck acted as befitting a prudent pastor of the Christian people, which has already been sufficiently demonstrated. Therefore, there is no basis for the promoted complaint of injuries against the parish priest Beck. Regarding the second point, the Lords, concerning the complaint brought against Mr. Delassus, noted that the first point of the complaint in this case was that in his periodical, *La Semaine religieuse*, he published a document in which it was asserted that Mr. Lemire had been removed from the list of honorary canons. And they stated that the matter should be explained first from the facts. In the issue of May 20, 1911, of that periodical (in a non-official section), the following letter was published, worded as follows: "Mgr D'Harangier, apostolic protonotary, dean of the metropolitan chapter of Bourges, writes to us on May 15: "The letter from His Grace, the coadjutor archbishop of Cambrai, concerning the new and scandalous removal of Mr. Lemire, leads me to inform you that, as far as we are concerned, we are exempt from the solidarity that bound us to this colleague who is causing so much trouble. In response to the request that I addressed to Mgr Dubois, on behalf of the Chapter, I obtained that the name of Mr. Abbé Lemire be removed from the list of honorary canons of

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our Metropolis. I had to..."

[*Latin ed. p. 157*]

The Roman Rota, number 157, "wishes to inform you of this. The letter from the Most Reverend Auxiliary Bishop fully justifies the measure." Upon learning this, Mr. Lemire immediately protested, and delivered the following letter to the editor of the newspaper, on June 3, 1911: "I protest with all my strength against the odious accusations that you have made against me. It is absolutely false that I have ceased to be an honorary canon of the metropolitan church of Bourges." Referring to this protest, the editor of the newspaper added: "Mr. Lemire may come to examine the autographed letter by which Mgr. D'Harangier, apostolic protonotary and dean of the metropolitan chapter of Bourges, informed us and wished to inform the public..." Furthermore, from the text of the judgment, rendered in Cambrai on February 8, 1913, we learn that certain actions by Mr. Delassus were contested and that he did not contradict the plaintiff, namely: "Considering... that he alleges, to support his claim, not only the letter from Mgr. the dean of the chapter of Bourges... but also the removal of Mr. Lemire's name from the diocesan list of Bourges for the years 1911, 1912, 1913; the notoriety of the fact brought to the attention of all by the newspapers of the time; and this particularity that *La Semaine Religieuse* of Cambrai waited for the incident to be reported by other means, in order to repeat it in turn..." In this publication, Mr. Lemire found and lamented that he had been subjected not to injurious words, but to defamation, based on documents published that were not consistent with the truth, and therefore, as he stated before the judge of first instance: "I ask nothing of Mr. Delassus except a rectification as a form of reparation." However, the legal action is for defamation. I say defamation, because if there is no defamation, then defamation cannot be imputed in order to obtain compensation for damages, which perhaps could be recovered under another title, namely, under the law of Aquilia, in the *Digest*. But in this case, reparation is sought because of the defamation. Or, to put it another way, there is not simply an injury, as considered in the first question, which is particularly guarded against in the cited title of the Decretals of Gregory IX: *De iniur. et damn. dato*, but rather defamation, or an unjust injury to the good name, committed through documents printed, which damage reputation. Therefore, when one suffers damage through an injury, this is prohibited by the prescription of the cited title concerning injuries and damages, more strictly by the prescriptions of chapter I, *De maledicis*, book V, X, and by canon I, question I, cause V, in the Decretals, as well as by force of...

[*Latin ed. p. 158*]

158 Acta Apostolicae Sedis - An Official Commentary on the laws contained in the Pandects, book 47, title concerning injuries and scandalous

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writings. Without a doubt, the subject matter concerns a scandalous publication, namely a newspaper, if it is proven to contain defamation, because it spreads information through printed material to the public, and this constitutes, in essence, a scandalous publication. Reiff, title concerning injuries, number 7. However, the laws prohibiting scandalous publications extend even to those who assist or cooperate in their dissemination, as Canon I, question I, cause V, cited above, states: "Whoever publicly writes or speaks insulting words against another and is found to have not proven the writings [to be true], let him be flogged; and whoever finds such [writings], if he does not wish to incur the cause of the actor, let him tear them up." This same concept of sanction is applied to those who cooperate in 1. unica Cod., 1. IX, title 36 concerning scandalous publications, which stipulates that those who find scandalous publications must destroy them "but if they do not immediately destroy the same writings or corrupt them, or consume them with fire, but rather manifest their content, let them know that they will be subject to a capital sentence as if they were the author of such a crime." Therefore, not only is complicity considered, but in order to express greater detestation and punishment of the crime, the same penalty is imposed on the principal author and the accomplice in the dissemination of a scandalous publication. These things are understood by the Lords, not so much to urge the enforcement of these laws, which, as far as punishment is concerned, are certainly ancient, and today the penalties for defamation are arbitrary under canon law (Reiff., loc. cit.): much more so, such sanctions do not apply because, in the case of the crime of defamation, only civil remedies for compensation are required. However, the Lords have recognized the effectiveness of cooperation in the crime of defamation, because this consideration excludes an excuse that might be put forward, namely that the newspaper and its editor are not responsible for the letters published, which testified to the expulsion of Mr. Lemire from the list of honorary canons, because these letters were signed by their author, who will be responsible for the asserted fact and for the defamation that may result from it. Indeed, the newspaper cooperates effectively in the dissemination and thus in the crime, if this is truly proven to be the case. But, evident arguments demonstrate that the newspaper and its editor lacked the necessary elements of culpable cooperation in the act of defamation. First, there was a lack of intent to injure through defamation, which is rather the essential element in such a crime, because the editor published the letters sent to him without any comment, presenting all the indications and arguments of truth, both in form and in substance. In form, because they were certainly...

[*Latin ed. p. 159*]

The Roman Rota has 159 authentic documents, all bearing the signature of the writer: in substance, because the very dean, or head of the Chapter,

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testified to his action, or because he stated that he had requested and obtained the removal of Mr. Lemire from the list of canons in commendam. Furthermore, a reason was given that made the action not only similar, but almost necessary: the testimony of the Ordinary of Cambray was invoked, who severely and justly condemned the manner of his actions, a behavior entirely unworthy of a priest. Therefore, this disciplinary sanction was very usefully publicized in the diocese of Cambray, in order to repair the scandal. However, the mind of the editor of the periodical was far from intending to inflict an injury on Mr. Lemire, so that immediately after it was published in the periodical of Bourges, this declaration, dated June 24, 1911, was made: "The fact that 'the name of Mr. Lemire does not appear this year in our diocesan directory cannot take away his title of honorary canon of Bourges'," and he immediately made the same declaration public. This was done in part out of good intentions: but also, in part, Mr. Delassus claimed that he was not the one who spread the defamation: he waited for other periodicals to publish the accusatory letters beforehand, and he only published his own when, indeed, if he had not published, he would have been neglecting his duty as editor of the diocesan periodical. He refrained from publishing the fact that it was very important for his fellow diocesans to know, when it had already been divulged elsewhere, as Mr. Delassus asserted in the hearing before the judge of Cambray, and Mr. Lemire was unable to refute the contested facts. Therefore, neither in intention nor in fact is the periodical guilty of defamation. Nor can anything be demanded from its editor today, for the repair of his reputation, even if it is admitted that the court of Bourges did not truly intend to take away Mr. Lemire's title of honorary canon. For he has satisfied every law, even the law of charity, when he published, without any delay, the declaration given by the court of Bourges. Finally, it is important to note that in the present case, there is a fundamental aspect that must not be overlooked, and it confirms the reasonableness of Mr. Delassus's actions: it cannot be considered as a matter of a private affair and of private individuals, whose actions and deeds do not go beyond the sphere of a family or town, nor should their good or bad merits be disseminated to the public, lest their modesty or good reputation be offended; but the question is about a man who is dedicated to public service and to the cause of Catholics, so that he may be able to defend the Catholic cause in the public elections of France.

[*Latin ed. p. 160*]

160 Acta Apostolicae Sedis - Commentarium Officiale. Wherefore, all those who, in the present order of states, exert influence on the very governance of the republic through their votes, when choosing their representative, ought diligently to know what worth the men possess who seek such honor and are not unwilling to bear such a burden. Therefore, the Lords have declared it not merely a faculty, but a duty of those who manage

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the periodicals, to diligently report facts which illustrate the intentions, purpose, virtues, and praises of the representatives of the people, so that those who prove themselves unworthy of such a mandate may be judged by the electors in the elections, as the circumstances demand. However, the Lords have noted that it is not, therefore, permissible to slander, or to rashly or lightly impute false facts. Wherefore, because it is advantageous to the republic that public men should be subject to public censure, the disseminator of facts in the periodicals which harm the reputation of these men, should not be considered as a common defamer, but rather as one who has presumptuously undertaken his own office and has not acted with the intention of harming the reputation of anyone: indeed, he is truly helping the republic, by removing from public duties those men who are extremely harmful to themselves and to others, or to the entire republic. It is evident to all that this rule is loudly proclaimed in forums and in schools throughout all civilized nations: for our forum, it suffices to note that Raynaldus (Observat., lib. 1, cap. 11, § 1, n. 32, Romae, 1688) states that the holy Fathers, when reprehending false and dangerous doctrines, have used sharp words and open accusations to expose the deceptions of those who spread errors among the Christian people. However, no one has ever dared to accuse them of having violated the laws of justice and charity: but history teaches that in this way, peoples have been defended from the most grievous contagion of heresies and heretics. Regarding the second part of the complaint, the Lords have considered the following: 1) The articles of the diocesan law, which it is alleged that Mr. Lemire has violated, are as follows, as written by the complainant's own lawyer: "To all clerics who are constituted in the sacred orders, under penalty of suspension incurred by the very act, we forbid that they ever eat or drink within the boundaries of the parish where they reside, nor even outside these boundaries in places which are not at least one league distant from their dwelling. Furthermore, by the term 'taverns,' we understand all houses and places in which small quantities and to those who request them, liquors of any kind are sold, in which drinking takes place."

[*Latin ed. p. 161*]

The Roman Rota, in its judgment 161, concerning the case of Mr. Lemire, convened its electors on May 2, 1910, and again on May 7, 1911, at the public establishment "La Fleur de Lys," and, as is customary, Mr. Lemire offered libations.

2) Referring to this event in his chronicle, Mr. Delassus commented in a manner that implied that Mr. Lemire had certainly incurred the censure threatened to clerics who eat or drink in taverns, noting that the notoriety of the fact is sufficient to consider the violator of the law as subject to a monetary penalty. He asserted this as a private individual and in the non-official section of his chronicle.

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3) On the contrary, Mr. Lemire, with regard to the aforementioned event, denies that he violated the law, because he was not engaged in the activities specified in the law that would incur a penalty. He did not use the public establishment for eating and drinking, but rather held a meeting with his electors, having been invited there. And if a libation of some beverage was offered, it was done, perhaps, incidentally and out of courtesy, not in the manner of taverns, but as is customary in profane gatherings as a demonstration of goodwill, friendship, and congratulations.

4) Regarding the law, Mr. Lemire asserts that Mr. Delassus wrote only with the intention of provoking and condemning him, having not used his own rights, but rather usurped the public authority that belongs only to the Ordinary of the place, namely, to declare penalties through a declaratory sentence, which must be issued by a competent judge in a judicial proceeding. These arguments, presented from various perspectives, must be considered solely from a legal standpoint, and it must be determined whether Mr. Delassus used his legitimate authority, which he possesses as the editor and writer of a chronicle, as mentioned above, or whether he rather exceeded the limits of his office by indulging in the desire to inflict injury on a man whose political views are opposed to his own.

Mr. Delassus defends his course of action, arguing that the penalty is incurred by the very act itself, and can be declared by any faithful person, without the intervention of a judge or a judicial decree, as soon as the violation of the law is established. This opinion, although limited by some Doctors, is nevertheless true in its essence. Furthermore, the intent of Canon Law regarding these penalties, known in the forum and in schools, is to identify a person who is guilty of a crime and is aware of it, by the very act itself, or from the very moment the crime is committed, even if the crime is hidden, and without any declaratory sentence from a judge.

[*Latin ed. p. 162*]

16^ Acta Apostolicae Sedis - The reason for punishing in this manner is perfectly in accordance with the institution of Canon Law, which primarily holds that internal morality must also be maintained. Therefore, a person is deterred from wrongdoing when he knows that, even if he commits a hidden offense, he will incur the penalty. However, this imposition of penalties is certainly more serious and severe, as it can give rise to anxieties and doubts in particular cases, and it is most suitable for certain negative penalties, and especially for censures, which are spiritual negative penalties. Over time, however, this penal sword has begun to be used more frequently, as the difficulties of restraining the faithful in the forum of the Church through ordinary judicial proceedings have increased, and positive vindictive penalties have begun to be imposed by the very fact of the offense. But because these penalties, in order to be carried out, mostly require the ministry of a judge, a declaratory sentence intervenes, namely,

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a declaratory penalty is already incurred from the moment the crime is committed. Suarez, de Leg., 1. V, cap. 5; Thesaur., De poenis, part. I, c. 5; Berardi, Ius canon, univ., dis. III, 1. V, De reis per censuras coërcendis; D'Annibale, 1, n. 303. These Doctors sometimes note that a declaratory sentence is necessary, especially in positive penalties; even in negative penalties, such as censures, it is mostly useful and should be invoked, so that all doubt may cease, and the faithful may be certain that a particular person has incurred a penalty, and is therefore subject to certain prohibitions. But when the crime is notorious, when the fact is such that it cannot be denied without tergiversation, is it not permissible for any faithful person, with due charity, to declare, as the circumstances permit, that the violator of the law has incurred the penalty that the law itself imposes by the very fact? Certainly. It is not helpful to allow the violator of the law to always claim that he can defend himself. For he acts prudently who acts with probability. Indeed, when ignorance of the law cannot be invoked, as we assume, and the fact itself cannot be denied in its essential elements, it is permissible to declare that the penal law, in this way, has achieved its intended effect by the Church. Therefore, there is no basis for the objection raised by the Most Reverend Delassus, who declared, with the authority of a private doctor, that the Reverend Lemire had incurred a suspension by the very fact. However, in this matter, it cannot be denied that the external elements of the fact contain a clear violation of the aforementioned diocesan law: since, in fact, the Reverend Lemire drank in a tavern, using a public establishment, which the diocesan law does not permit for clerics. The Reverend Fathers note that in this specific case, there were some circumstances that were neither foreseen nor could have been foreseen by the legislator, whose intention was not to prohibit such gatherings.

[*Latin ed. p. 163*]

The Roman Rota, in its deliberations concerning the electoral assemblies, or those held for other civil purposes deemed honorable, has observed that these gatherings often take place in larger rooms where guests do not typically drink or eat. However, these considerations have been deemed insufficient by the Lords, for it is understood that in interpreting the law, the spirit of the law is not the law itself. Furthermore, the abuses that the law seeks to prevent by prohibiting clerics from entering public establishments within the boundaries of their parish would be no less serious if the interpretation were to hold that clerics could frequent gatherings of electors or friends (the reason is the same), because in that case, neither would there be any commerce of drinks or food, nor would the establishment serve its ordinary purpose. Therefore, even if a subtle doctor could imagine and devise excuses for a violator of such a law in his leisure studies, the practical sense of the faithful would not be moved by these excuses, nor would they feel less scandalized if a cleric entered such establishments and excused

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himself in this manner. Therefore, the Lords have rightly concluded that no basis can be found for complaints even regarding this aspect. Finally, the last reason for complaint must be examined, namely the words that Delassus did not hesitate to write in the case of Lemire, namely, that he himself could not be complained of by others for having his priestly dignity impugned, stating: "As for his priestly honor, Mr. Abbé Lemire has long since ruined it." It is not permissible to make such assertions about a private individual whose misdeeds, however grievous, are known only within the confines of his home, or at least do not extend beyond the boundaries of his place of residence, unless, as moralists (Cardinal D'Annibale, II, 260, following the opinion of more serious theologians) already state, he has undergone a legitimate judicial condemnation, for then he has forfeited his right to a good reputation. This limitation is not absolutely proven or admitted today in general by the laws or by jurisprudence concerning civil society, because the imputation of a condemnation, or the reiteration of a condemnation, is not permitted to a private citizen against another, especially so that the hope of rehabilitation may not be taken away from a citizen who has already been condemned by a judge, although there remains the hope of moral improvement. But in the case of a person holding public office, whose conduct must be judged by the electors, it is important, indeed, it is of the utmost importance to the republic, that his conduct be discussed; and therefore, to assert what Delassus asserted about Abbé Lemire, in no way constitutes a new defamation. For it is no secret what was the manner of Abbé Lemire's conduct from the moment that the infamous law, so-called, of separation of the Churches from the State was enacted.

[*Latin ed. p. 164*]

Acts of the Apostolic See - Official Commentary 164. The Holy See, with just and proper judgment, condemned this law, and the Reverend Monsieur Lemire did not dare openly to reject it, nor to show himself openly opposed to it, but rather he seemed, day by day, to favor and adhere to those parts which had in every way promoted such a law. What we have recounted above, the deeds and words and pronouncements of the Reverend Monsieur Lemire, clearly confirm this. This favor shown in France was so alien to the dignity of the Reverend Monsieur Lemire, and so compliant with the intentions of the promoters of that law, that he was jokingly and sagaciously called "the chaplain of the Bloc." This expression has, as it were, passed into a proverb among many, and concisely proclaims the praises of the priest who has deservedly earned the enmity of the enemies of the Church. Therefore, the author of a Catholic periodical, while asserting that Monsieur Lemire had, by his conduct, disgraced his dignity and cast it aside, signified that this was the opinion and estimation of many, and that it was not hidden even from the adversaries of the Catholic name, who considered such a priest to be optimally serving their cause. Therefore,

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having considered all of these things with diligence, and invoking the name of Christ, We, the Auditors sitting for the tribunal of the Holy Roman Rota, with God alone before our eyes, declare and definitively pronounce our judgment in response to the proposed questions: Negatively to both, and we confirm the sentences of the court of Camerata in all respects. Thus we pronounce, condemning Monsieur Lemire to pay the judicial expenses, the taxation of which We reserve to Ourselves, and We remit the matter to the Reverend Father Prelate for execution. We command the Ordinaries of the places and the ministers of the tribunals to whom it pertains to order the execution of this our definitive sentence, and against those who resist, to proceed according to the norms of the sacred canons, and especially chapter 3, session XXI, De reform., of the Council of Trent, applying the executive and coercive means that they shall judge to be more effective and appropriate for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 27th of January, 1914. M. Lega, Dean, Prelate. From the Chancery, on the 27th of February, 1914. T. Tani, Notary.

[*Latin ed. p. 165*]

Apostolic Signature 165. THE SUPREME TRIBUNAL OF THE APOSTOLIC SIGNATURE, NEW YORK. SENTENCE OF NULLITY. (Between Paul Boni of Civita Castellana and Anne Qould). An appeal in this cause was presented before the Supreme Tribunal of the Apostolic Signature, alleging the nullity of the sentence issued by the Rota on December 9, 1911; but not on grounds pertaining to the merits of the sentence, but rather due to a defect in the judicial procedure; namely, that in the second hearing before the Rota, the regular citation of the appellant was lacking. However, it is evident from the records that the citation was duly sent through the regular channels of the Parisian court, delivered by letter to the public registry, with the additional requirement of notifying the recipient; and therefore, it is solely the responsibility of the woman herself if those letters were not opened by her. The Most Eminent Judges, in a plenary session on January 10, 1914, decreed that the appeal should be rejected, declaring that nothing prevents the continuation of the proceedings in the same Holy Rota Tribunal, and in response to the question: "Is there any Rota sentence in this case, and is there a place for its circumscription?" they answered: "No, saving the right of the appellant to present other arguments, if any, in a third instance." Nicholas Marini, from the Secretariat. L. "St. Joseph vs. Fornari, Vol. 1, p. A."

[*Latin ed. p. 166*]

166 Acta Apostolicae Sedis - Official Commentary

SECRETARY OF STATE

LETTER TO THE REVEREND FATHER DOMINIC ANTONIUS

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PADOVANI, TITULAR BISHOP OF CANOPITANUM, AUXILIARY BISHOP OF CREMONA, CONCERNING THE ESTABLISHMENT OF A PERMANENT COMMITTEE FOR THE CELEBRATION OF EUCHARISTIC CONGRESSES IN ITALY.

Most Reverend and Reverend Monsignor,

It is fitting that the Congress of Adorating Priests, held in Rome last September, issued a decree that the celebration of National Eucharistic Congresses be resumed in Italy, and that a Permanent Committee be established for this purpose. This initiative has also been welcomed by the Holy Father, with that sense of hopeful expectation that is inspired by His great desire to lead all Catholics to Jesus in the Sacrament.

Furthermore, no better President could be designated for the aforementioned Committee than Your Excellency. Your intelligence and zeal are well known, and recent proof of this has been seen in the Statutes and Regulations that you were entrusted with compiling for the aforementioned Committee, which you have compiled with such wisdom, that they fully serve the purpose of the work and promise a rapid and fruitful development.

His Holiness, to whom I have not failed to make this known, has therefore instructed me to express to you His high satisfaction and to authorize you to put them into effect for three years, in order to see if experience has anything to suggest for their further improvement.

I am also pleased to inform you that the Holy Father is aware of the function of Sub-Committee of the International Eucharistic Congresses assigned to the aforementioned Committee in the appropriate Statutes and Regulations.

Finally, I add the apostolic blessing which the august Pontiff has graciously and abundantly bestowed upon Your Excellency and your collaborators, that the abundance of divine assistance may render the presidency of Your Excellency fruitful.

[*Latin ed. p. 167*]

167 The Secretariat of the State is highly beneficial to the work, and the work is a great source of eucharistic life. With feelings of profound esteem, I take pleasure in reaffirming my sentiments. February 21, 1914. Sincerely, R. CARD. MERRY DEL VAL. TO THE MOST DESIRABLE CARD. MERCIER, ARCHBISHOP OF MECHLIN, AS A TESTIMONY OF PIETY AND CHARITY, AND ALSO IN THE NAME OF THE CLERGY AND THE PEOPLE, PRESENTED TO THE BLESSED FATHER. Most Eminent Lord, The Holy Father entrusts me with the pleasant mission of conveying to Your Eminence the great satisfaction that Your important letter of February 23rd last caused Him. And first, the Supreme Pontiff was deeply moved by the new and eloquent testimony that the clergy and the faithful of the diocese of Malines were eager to give Him of their fidelity, their attachment, and

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their filial devotion to His august person and to the Apostolic See, through their very generous offering in favor of the Work of the Peter's Pence. With the greatest interest, His Holiness took note of the news that you communicated to Him in general, and particularly regarding the state of mind and the works in your diocese. The Holy Father does not ignore, of course, the enlightened zeal and tireless activity with which Your Eminence governs the beloved and valiant diocese entrusted to his pastoral care, the salutary influence that He exerts on his priests and his faithful, and the docility with which His word is heard. His Holiness rejoices in this, and highly commends Your Eminence. Praying to God to sustain your efforts, which you expend so generously for the greatest good of the souls entrusted to your care, and expressing His heartfelt gratitude to your dear diocesans for the tribute of their piety and filial charity, the Supreme Pontiff sends to them, with effusion of heart, and to Your Eminence in particular, as a pledge of His paternal benevolence and abundant heavenly favors, the best of His blessings.

[*Latin ed. p. 168*]

168 Acta Apostolicae Sedis. - Official Commentary. I gladly seize this opportunity to renew, Most Eminent Lord, the tribute of profound veneration with which I remain, from Your Eminence, in Vatican City, March 6, 1914. The very humble and very devoted servant, R. GARD. MERRY DEL VAL. III. TO R. P. LEONIDAS PERRIN, SUPERIOR OF THE CANADIAN COLLEGE, ON THE OCCASION OF THE TWENTY-FIFTH ANNIVERSARY SINCE THE SAID COLLEGE WAS FOUNDED IN ROME. Reverend Father Superior, The Supreme Pontiff has learned with satisfaction that the Canadian College in Rome is celebrating, this year, the 25th anniversary of its foundation. It was entirely fitting and natural that the Superior, the Director, and the students should have thought to celebrate this first jubilee of their beloved Institute, which, during this period of existence, has enrolled 320 priests, the majority of whom obtained degrees in the Roman ecclesiastical universities, and of whom seven were subsequently promoted to the dignity of the Episcopate. Having drawn abundantly, within the Eternal City, from the pure and sound doctrine, the love of the Church and of its venerated Head, these priests, spread throughout Canada today, work to inspire in the souls entrusted to them, that same doctrine and that same love. The twenty-five years that have passed are a guarantee of happy hopes for the future of the Canadian College and of the Catholic Church in your beloved country. Therefore, the Supreme Pontiff gladly participates in your celebrations by sending, with all his heart, along with his paternal wishes for this Institute, and as a pledge of abundant heavenly favors, the Apostolic Blessing, implored, to the Superiors, Directors, and

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students, both present and former, of your College.

[*Latin ed. p. 169*]

169 The Secretariat of State seizes this opportunity with eagerness to express to you, Reverend Father Superior, my congratulations and best wishes, and my devoted sentiments in Our Lord. March 19, 1914. R. CARD. MERRY DEL VAL.

DIARY OF THE ROMAN CURIA

SACRED CONGREGATION FOR RELIGIOUS

NOTICE OF COMPETITION

It is hereby notified that in the Sacred Congregation for Religious, a competition will be held for a position of Minor Official, through a written examination, to be held on May 14th of the coming year, at 8 o'clock in the morning. Those ecclesiastics who wish to participate in this competition must, within one month from the date of this notice, present their application, accompanied by the necessary qualifications for admission, to the Secretariat of said Congregation.

Rome, March 28, 1914.

Donato, Archbishop of Ephesus, Secretary.

SECRETARIAT OF STATE

APPOINTMENTS

By Letters from the Secretariat of State, the Holy Father has been pleased to appoint:

March 16, 1914. — The Most Reverend Cardinal Ludovico Billot, Protector of the Institute of the Sisters "du Bon Sauveur."

March 18. — The Most Reverend Cardinal Aristide Rinaldini, Protector of the Capuchin Sisters of the monastery of Saint Romuald, in Fabriano.

March 23. — The Most Reverend Cardinal Basilio Pompilj, Protector of the Order of the Minor Regular Clerics.

A.C., vol. VI, n. 5. — 31-3-1914. 12

[*Latin ed. p. 170*]

170 Acta Apostolicae Sedis - Official Commentary, March 24, 1914. — The Most Reverend Cardinal Anthony Vico, Protector of the Congregation of the Brothers of Our Lady of Lourdes of Oostacher. March 25. — The Reverend Monsignors Mark Martini, Charles Grosso, and Henry Dante,

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Extraordinary Masters of Ceremonies. By Apostolic Briefs, the Holy Father deigned to appoint: Assistant at the Papal Throne: February 28, 1914. — Monsignor Francis Ucellini, Bishop of Gattaro. Apostolic Protonotary *ad instar participantium*: March 4, 1914. — Monsignor John Radimiri, Chapter Prebendary and Episcopal Pro-Vicar of the diocese of Gattaro. Domestic Prelates of His Holiness: February 27, 1914. — Monsignor Vincent Tailetti, Canon of the Cathedral of Novara. March 4. — Monsignor Joseph Gazzi, Parish Rector of Golorno in the diocese of Parma. March 8. — Monsignor Francis Negroni, Rector of the Cathedral and General Vicar of the diocese of Acqui. March 11. — Monsignor Marcello Slepicki, of the diocese of Cracow. March 15. — Monsignor Thomas C. O'Reilly, Episcopal Chancellor of the diocese of Cleveland. By Letters from the Secretariat of State, the Holy Father deigned to appoint: Extraordinary Secret Chamberlains of His Holiness: March 5, 1914. — Monsignor Thomas Sabatino, of the diocese of Aversa. March 9. — Monsignor Gaetano Vitali, of the diocese of Comacchio. March 19. — Monsignor Daniel Kennedy, of the diocese of Plymouth. March 20. — Monsignor Charles Nikiel, of the diocese of Cracow. — Monsignor Andrew Zajac, of the same diocese. Honorary Chamberlains in peacock blue of His Holiness: March 9, 1914. — Monsignor James Ogier, of the Archdiocese of Chambéry. March 12. — Monsignor Oreste Masini, of the diocese of San Miniato. March 13. — Monsignor Basil Woloszinski, of the diocese of Premysl of the Ruthenian rite. Honorary Secret Chaplain of His Holiness: March 22, 1914. — Monsignor Stephen Schulz, of the diocese of Naila.

[*Latin ed. p. 171*]

From the Roman Curia Diary, 171: HONORS. By Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Order of the Golden Militia, also known as the Order of the Golden Spear: March 11, 1914. – To the Most Noble Count Vincenzo Macchi, of Rome. The Grand Cross of the Order of Pius: March 11, 1914. – To His Excellency, the Most Noble Count Leopoldo Berchtold, Baron of Ungarschitz, Fratting, and Pullitz, President of the Common Council of Ministers of Austria-Hungary, and Minister of the Imperial Royal Household and of Foreign Affairs. March 11. – To His Excellency, the Most Noble Doctor Giorgio de Hertling, President of the Council of Ministers, State Minister of the Royal Household and of Foreign Affairs of Bavaria. The Insignia of the Order of Pius: March 13, 1914. – To the Most Noble Duke Gabriele de Rarécourt-Pimodan. The Commander's Cross with Insignia of the Order of Saint Gregory the Great, military class: March 11, 1914. – To Colonel Giulio Répond, Commander of the Pontifical Swiss Guard. The Commander's Cross with Insignia of the Order of Saint Sylvester: March 1, 1914. – To Signor Costantino Hörmann, governmental prefect in Bosnia and Herzegovina for matters of worship and public education. March 15.

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– To Signor Alessio Sebbowa, of Uganda. The Commander's Cross of the Order of Saint Gregory the Great, civil class: March 11, 1914. – To the Most Noble Count Giuseppe Dalla Torre di Sanguinetto, General President of the Popular Union among Catholics of Italy. – To Signor Knight Advocate Giuseppe Barluzzi, Under-Archivist of the Secretariat of State of His Holiness. – To Signor Doctor Pietro Borromeo, of Rome. March 14. – To Signor Knight Alfredo Bourdin, of the diocese of Belley. The Commander's Cross of the Order of Saint Sylvester: January 8, 1914. – To Signor Rodolfo de Steiner, Director of Auxiliary Offices, and to Signor Emanuele Schwab, Archivist of the Imperial Royal Household and Court, and of the State, in Austria.

[*Latin ed. p. 172*]

172 Acta Apostolicae Sedis - Official Commentary

On the Knighthood of the Order of St. Gregory the Great, civil class: January 8, 1914. — To the gentlemen Rodolfo de Czech and Eugenio Marsovszky, aulic and ministerial vice-secretaries, and to Mr. Felice de Strautz, vice-consul, in Austria. March 4. — To Mr. Alberto Sabourin, president of the Catholic Youth of Touraine in the Archdioceses of Tours. — To Mr. Francesco Hahn, of the Archdiocese of KolÃn. March 7. — To Mr. Edmondo Delanglade, of the Diocese of Marsiglia. March 12. — To Mr. Enrico Maus, municipal councilor of KolÃn. — To Mr. Pietro Wolter, doctor of medicine and governmental advisor in the Archdiocese of KolÃn. March 12. — To Mr. Ermanno Breur, of the Archdiocese of KolÃn.

On the Knighthood of the Order of St. Sylvester the Pope: March 2, 1914. — To Mr. Vittore Huber, governmental advisor of economics, of the Archdiocese of Serajevo. March 9. — To Mr. Enrico Arrigo, of Rome. March 14. — To Mr. Giovanni Maria De Gasperis, of Rome. — To Mr. Luigi di Virgilio, residing in the Archdiocese of Chieti.

NECROLOGY

March 4, 1914. — Monsignor Giovanni Dérouet, titular Bishop of Camaco, apostolic vicar of Loango (central Africa). March 11. — Monsignor Paolo Pellet, titular Bishop of Retimo. March 12. — Monsignor Eugenio Cano, titular Bishop of Tenedo. March 14. — Monsignor Filippo Bacciu, Bishop of Bisarcio (Sardinia). March 30. — Monsignor Roberto Fraser, Bishop of Dunkeld (Scotland).

[*Latin ed. p. 173*]

Year VI. - Vol. VI. April 23, 1914. No. 6. OFFICIAL COMMENTARY OF THE APOSTOLIC SEE. ACTS OF POPE PIUS X BY A PROPRIETARY DECREE CONCERNING ITALIANS EMIGRATING ABROAD. POPE PIUS X. For a long time, a large number of people have been drawn from Italia each year, either by the necessity of daily sustenance or by the desire for a better fortune, to regions beyond the Alps, and especially to overseas lands;

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and it is no secret that there are numerous Italian colonies in all of America and among the French, Germans, and other peoples, some of whom have established stable and permanent settlements there, while others are thinking of returning to their homeland, once they have earned a certain sum of money through their own hands and labor. It is scarcely believable how often the Catholic faith and Christian morals are put at risk among these people, not to mention that they are often outside the very sphere of hope for the benefits of this mortal life. For most of them, being simple by nature and inexperienced in worldly matters, and also often insufficiently instructed in the doctrines of the Religion, when they arrive in places where they do not know the language or the customs, they easily fall into the traps prepared by the most unscrupulous of men, who either add them to sects and societies hostile to the Christian faith and life, or abuse their labor for excessive gain. Therefore, it is absolutely necessary that those who have emigrated from their homeland be assisted abroad, so that someone may attend to both their religious and their civil welfare. ACTS, vol. V, n. 6. — 23-4-914. 13

[*Latin ed. p. 174*]

174 Acta Apostolicae Sedis - The official commentary, which diligent scholars should carefully study. This is demanded by Christian charity, required by the cause of humanity, and also encouraged by the common good. Indeed, it is of great importance that the inhabitants of the host country, observing the laws of religion and morality, remain and prosper; but the same is true, and no less so, for the homeland; to whose bosom they will either return, or certainly maintain a close connection through reasons and obligations. Therefore, the Apostolic See, which exercises paternal care for all Catholics, has always been particularly attentive to Italians, whose emigration is far more frequent than that of others, as well as to all others who are accustomed to emigrate. For this reason, it has not neglected any opportunity, whether private or public, to commend the cause of these people to the Bishops, urging some not to cease to regard as their own those who have left their diocese for any reason, and urging others to assist those who have come to their diocese from abroad, providing them with the same care as they would provide for the rest of their flock, and even greater care, the more necessary they perceive it to be. A testament to this solicitude of the Apostolic See for the well-being of emigrants, especially from Italy, are the letter from Our beloved sons, the Cardinals of the Congregation for Public Affairs, dated September 8, 1911, and Our own letters, by which We instituted a special office for the spiritual care of emigrants within the Sacred Congregation of the Council, and also the decrees of the Sacred Congregation of the Council regarding the admission of only those Italian priests into the American clergy who appeared to be useful ministers of the sacred rites through their zeal for souls and example of life. Therefore,

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with the care of the Pontiff and the diligence of the Bishops, it has happily happened that in many dioceses of America, France, and Germany, large numbers of Italians who had immigrated there found excellent assistance, and this especially through the work of priests who were of the same nation, or who were not ignorant of their language and customs. In addition to these things, as was fitting, many associations and institutions, called "comites" and "patronati," for the benefit of emigrants, have flourished in Italy, and others of a similar nature have been established by the Bishops.

[*Latin ed. p. 175*]

From the Acts of Pope Pius X, number 175, and from other documents, as well as from the generous actions and Christian wisdom of numerous laymen, the following is established. It is fitting to commemorate with praise those religious orders and families of Sisters who, with every act of charity, have dedicated a portion of their members and their houses to assisting those who are changing their homeland! However, it is often experienced that these efforts are often insufficient, given the continuous increase in emigration and mobility; and it is especially desirable in this matter to have a sufficient number of priests from the secular clergy, who are properly prepared for this ministry. Therefore, desiring, as far as is in our power, to address this need, and after carefully considering a remedy that will cure the root of the problem, and after consultation with the Congregation of the Consistory, we have decided to establish in this esteemed city a college for Italian priests to assist those abroad, and we establish it by these letters *motu proprio*. To this college, however, only young Italian priests from the secular clergy shall be admitted, who have come with the consent or order of their respective bishops; and they shall remain there for one or two years, in order that they may learn the language, customs, and institutions of some foreign region in which Italian colonies are located; thus, better instructed, they may be able to serve their people more effectively. We will soon declare in other letters the rules by which those who reside in this college shall be governed. In the meantime, we implore the sacred prelates of Italy, and especially those who have many from their dioceses who have emigrated, to designate suitable priests or clerics from among their own, to be sent to this institution. And those under whose jurisdiction are Italian colonies that are insufficiently provided with the sacred ministry, will have, through this very institution, what the bishops, especially of America, have repeatedly indicated to the Apostolic See as being most desired by them; that is, they will have a source from which to obtain worthy priests and to provide for the needs of the Italians residing there. And thus it will also be easier to prevent those who are less worthy of the sacred order from going

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to America, who do not desire to move there.

[*Latin ed. p. 176*]

176 Acta Apostolicae Sedis - An Official Commentary, moved by the love of Christ or by the charity of souls, but also for the advancement of its affairs. But for this very reason, and with greater urgency, We shall give further prescriptions by decree of the Sacred Congregation of the Consistory. Now, concerning the protection of this College, and also concerning the equitable distribution of subsidies for all those works which, with the approval of the Apostolic See, are instituted for the benefit of emigrants, We request that the Ordinaries of Italiae, as is customary, grant a stipend, and that, as We recently recommended, the same stipend be henceforth given to all those engaged in the so-called Missionary work for Emigration, and that they take care to use it primarily for the support of these works, and especially for the establishment of this College; and that the sum collected be sent to the proper Office for Emigration, which is located within the Sacred Congregation of the Consistory. But, besides this kind of collection, whoever, moved by the great utility of the cause, sends any sum of money to that very Office, will have rendered Us a most pleasing service. Finally, We pray to God that He may favor Our undertaking with His grace, and that He may bring about that it may bear abundant fruit for the salvation of souls, both here and abroad, as We hope. Given at Rome, near St. Peter, on the nineteenth day of the month of March, in the solemn commemoration of St. Joseph, Spouse of the B. Virgin Mary, in the year 1914, in the eleventh year of Our Pontificate. PIUS PP. X.

[*Latin ed. p. 177*]

From the Acts of Pope Pius X, Letter 177, Apostolic Instruction concerning the Pious Society of the Transitus of St. Joseph, founded for the assistance of the dying, in the church dedicated to that name, located near the Triumphal Gate of the City, and erected as a primary institution, with the faculty of being established throughout the world. Pope Pius X, for the sake of posterity. — We pursue with particular care and favor the church dedicated to the Transitus of St. Joseph, which we desired to be erected near the Triumphal Gate of the City, whether because it is dear to Us to consider, above all, the most pressing religious needs of this frequented region, or because we rejoice in bearing the name of the glorious patron saint in its baptism, or because, to perpetuate the memory of the year in which we completed ten years of priesthood and five years of the episcopate, with God's help, the Christian people have dedicated this church to a pious purpose. For these reasons, we have spared no cares nor expenses in its construction, and we have entrusted it, along with the adjoining parish, to the meritorious Congregation of the Servants of Charity, whose skill and diligence we greatly trust in the performance of the sacred ministry.

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Therefore, since everything concerning it is of great importance to Us, we regard with favorable eyes the Pious Society of the Transitus of St. Joseph for the assistance of the dying, canonically established on the seventeenth day of the month of February, 1913, in this church, whose purpose is to assist the dying, offering suitable prayers to the Patron of a good death; and with great joy of spirit, we hear that it is growing and increasing day by day, having been enriched by Us in the past year with numerous indulgences, both plenary and partial, so that other similar associations already desire to be united with it. Since, therefore, our beloved sons, Aloysius Guanella, founder of the praised Congregation, and a beneficent helper in the founding of the church, Aurelius Bacciarini, the parish priest of the same church, and Caesar Pedrini, director of the Society of the Transitus of St. Joseph, have requested that we elevate this to the rank of a primary institution for the entire world, we are pleased to grant their request, confident that it will be of great benefit and will enhance the splendor of the church itself, and will greatly encourage the faithful, so that, contemplating the end of life, they may more earnestly seek the protection of the glorious Patron and have Him in mind.

[*Latin ed. p. 178*]

178. From the Apostolic See. – An official commentary, so that all may diligently observe the good counsel concerning death. Wherefore, We, with the supreme authority of Our apostolic intervention, decree and command the following. We erect and raise the Pious Society of the Transit of St. Joseph, founded canonically in Rome, in the temple of the same name near the Porta Triumphalis, as a primary institution, and We grant to it all the privileges that belong by right to primary sodalities. Furthermore, We grant to the moderator and officials of this primary Society, both present and future, that they may, observing the form of the Constitution of Pope Clement VIII, Our predecessor of blessed memory, and other apostolic ordinances issued concerning this matter, rightly incorporate and communicate with them, and that all and each indulgences and spiritual graces granted to this primary Society by the Holy See, which are communicable to others, may be perpetually conferred upon them.

Desirous of making the true and worthy end of this institution more clearly manifest, We also wish that Our name be inscribed first among the members of this Society. We exhort, moreover, all those chosen for the priesthood, to diligently remember daily in the divine Sacrifice those who are pressed by the struggle of death; and We also urge all other faithful, especially religious men and women, to accustom themselves to pour forth special prayers to God and to St. Joseph for those who are dying, for if it is a holy and salutary practice to pray for the dead, who, although addicted to the flames of purgatory, have attained the port of salvation, no less commendable seems to be the solicitude of imploring help from heaven for

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those poor souls who are in the last extremity, upon whom eternal life depends.

Finally, We will and command that all things which We have established and declared in these letters be considered valid and firm, and that they shall be so in the future, and We decree that whatever may be attempted concerning these matters by anyone, with any authority, shall be null and void, notwithstanding any contrary provisions.

Given at Rome, near St. Peter, under the Fisherman's ring, on the tenth day of the month of February, in the eleventh year of Our pontificate.

R. CARD. MERRY DEL VAL, L.C.B.S., Secretary of State.

[*Latin ed. p. 179*]

179. Acts of Pope Pius X, No. X, Section II. ERECTION OF THE APOSTOLIC PREFECTURE OF TOGONENSE IN EQUATORIAL AFRICA INTO AN APOSTOLIC VICARIATE. PIUS X. For the sake of posterity. — The supreme office of the apostolate, divinely entrusted to Us, demands that We turn the eyes of Our mind to all parts of the Christian world, even those widely dispersed by land and sea, and that We diligently strive to promote those things which are more conducive to the advancement of the sacred cause and to the growth of the Catholic name. Indeed, since the Apostolic Prefecture of Togonense, located on the western coast of Equatorial Africa, has seen the Christian cause flourish, and considering, in particular, the number of new converts and the maturity of the flourishing works, after having consulted with Our Most Reverend Fathers, the Cardinals Prefects of the Congregation for the Propagation of the Faith, We have judged it fitting to erect the aforementioned Prefecture into an Apostolic Vicariate, so that a more abundant Catholic hierarchy may develop there. Wherefore, by these Letters, issued by Our own initiative and with certain knowledge and mature deliberation, and by the fullness of Our apostolic authority, We erect the Apostolic Prefecture of Togonense, located on the western coast of Equatorial Africa, within its established geographical boundaries, into an Apostolic Vicariate, also to be called Togonense, which We wish to remain under the care of the Missionaries of the Divine Word Society of Steyl. We decree that these present Letters shall always remain firm, valid, and efficacious, and shall produce and obtain their full and complete effects, and that those to whom they pertain shall fully support them; and that it shall be rightly judged and defined, and that it shall become null and void, if anything should be attempted against them by anyone, with any authority whatsoever, knowingly or unknowingly. Notwithstanding any Apostolic constitutions and other enactments to the contrary. Given at Rome, at St. Peter's, under the Fisherman's ring, on the sixteenth day of March, in the year 1914, in the eleventh year of Our pontificate. R. CARD.

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MERRY DEL VAL, Secretary of State. L. © S.

[*Latin ed. p. 180*]

180 Acta Apostolicae Sedis. - Official Commentary on LETTER I. To Most Reverend Cardinal Augustine Richelmy, Archbishop of Turin, presented with due reverence on the feast day of Saint Joseph, in filial obedience and with heartfelt wishes. Beloved Son, greetings and the apostolic blessing. — We have received with pleasure the offerings and wishes which you presented to Us on the solemn feast of Saint Joseph, and we have heard the most welcome news concerning the growing devotion to the Sacrament of the august religion in the Piedmont region, and also concerning the sacred buildings which are being constructed in your esteemed see to increase the number of parishes. This piety on your part, and this pastoral diligence, are to Us not new, but nonetheless a sweet and desired demonstration: both are a comfort to us, by which we temper the bitterness of life. You, beloved Son, have considered this in your writing; and know that even this has brought us comfort, and is not insignificant. Therefore, we thank you and rejoice with all our heart. As a pledge of heavenly blessings and a testament to Our benevolence, We impart to you and to your entire diocese the apostolic blessing in the Lord. Given at Rome, near Saint Peter's, on the twenty-eighth of March, in the eleventh year of Our pontificate. PIUS PP. X.

II. To the Reverend Father Vincent Scozzoli, Bishop of Rimini, nearing the end of his life, from whom Pope Pius VII, of blessed memory, upon his return from captivity in France, presented to the people of Rimini the image of the Most Holy Virgin Mary, adorned with a diadem. Venerable Brother, greetings and the apostolic blessing. — We know that this ancient image of the august Virgin is most sacred to the people of Rimini, not only because it has been transmitted to them by their ancestors, but also because it is a memory of our predecessor, Pope Pius VII, who, passing through Rimini upon his return from captivity in France, presented to the people of Rimini the image of the Most Holy Virgin Mary, adorned with a diadem, as a singular example of the helper of the Christian name.

[*Latin ed. p. 181*]

The Acts of Pope Pius X, volume 1, page 181, state that he adorned that region with the royal diadem. This deed, occurring at the close of the century, we strongly desire to commemorate, so that an opportunity may be given for the common Mother to be venerated more diligently and with greater piety, and for the name of the Pontiff to be celebrated, whose constancy and firmness of spirit in defending the rights of the Church and in enduring hardships, was certainly greater than any age could ever forget. To this end, our wishes are directed: may the blessed Mother, through common prayer implored, favor your endeavors, and may her apostolic aid enrich

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the blessing which, as a witness to the divine favors and of our benevolence, we gladly bestow upon you, venerable Brother, and your entire flock. Given at Rome, near St. Peter's, on the tenth day of April, 1914, in the eleventh year of our pontificate. PIUS PP. X.

TO THE MOST REVEREND FATHER, DOM JOSEPH S. PELCZAR, BISHOP OF THE LATIN ARCHDIOCESE OF PRAGUE, CELEBRATING THE FIFTIEH ANNIVERSARY OF HIS PRIESTHOOD AND ALSO A DIOCESAN SYNOD. Venerable Brother, greetings and the apostolic blessing.

What you have reported to us is both pleasing and moves our heart with a particular affection. It is the fiftieth anniversary of your priesthood and the diocesan synod which you have convened at the same time. One adorns and commends the other admirably. Indeed, there is no better way to celebrate a long and laborious priesthood than to provide such a striking testimony of pastoral diligence and prudence.

As for us, we rejoice in both events: and we sincerely wish that both may bring to you and your flock the benefits and joys you desire. May the most abundant apostolic blessing, as a witness to the heavenly favors and of our benevolence, be bestowed upon you, venerable Brother, and your clergy and people, in the Lord. Given at Rome, near St. Peter's, on the tenth day of April, 1914, in the eleventh year of our pontificate. PIUS PP. X.

[*Latin ed. p. 182*]

Acta Apostolicae Sedis - Official Commentary of the HOLY CONGREGATION CONSISTORIAL. I. DECREE CONCERNING PRIESTS MIGRATING TO CERTAIN REGIONS. Ethnographic studies, which have been completed in recent years in many states of Americae, have most clearly demonstrated that the migration to those regions of priests who are not fully instructed in piety, doctrine, and the discipline of life, is not only often detrimental to the Catholic faith, but also leads to the grave ruin of themselves. It has also become apparent how wisely the Sacred Congregations of the Council and of Propaganda Fide, with the laws they have enacted on this matter, regulate and circumscribe such migrations. For these laws apply to almost all dioceses; consequently, pastoral vigilance is relaxed, especially concerning foreign priests; such dangers and impediments arise from the frequency of sects, from constant dealings with non-Catholics, from the freedoms that prevail there in many places, and from other conditions of the places, that even good men, if not sustained by great virtue, gradually lose their fervor; while those who lack both doctrinal support and scarcely any discipline of life, often stray from the right path, and not rarely, to the great offense of the faithful and to the detriment of religion, they come to extremes, so that those who ought to be teachers of truth become ministers of error and impiety. Therefore, many most distinguished men, and especially the Bishops of those regions, have, both orally and in writing,

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urged the Apostolic See to provide new remedies for this great evil, as the times demanded. Consequently, after the matter was discussed in the plenary sessions of the Holy Congregation Consistorial, the Eminent Fathers judged that a new Decree should be issued, by which, confirming the prescriptions prudently issued by the Holy Congregation of the Council some years ago, those things would be added which, guided by the counsel and experience of several Bishops, were deemed necessary or opportune. When the Most Holy Pope Pius X approved the opinion of the Eminent Fathers, at his command these things are established and made public law, to be observed by all to whom they apply, piously and conscientiously.

[*Latin ed. p. 183*]

SACRED CONGREGATION, DECREE 183

CHAPTER L. Concerning priests who migrate permanently or for a long time.

The following law shall apply to the clergy of the Latin rite, concerning the migration of priests of the Eastern rite, according to the law of the Sacred Congregation for the Propagation of the Faith:

1. It shall not be permissible for anyone to migrate to America and the Philippine Islands unless he possesses a good reputation for a life of impeccable conduct, and has hitherto diligently performed the works of the sacred ministry with zeal, piety, and a desire for the salvation of souls; he must demonstrate a firm hope of building up the faithful through word and example among those to whom he is called to go, and he must provide moral certainty that he will never stain his priestly dignity, as established and decreed by the Sacred Congregation of the Council on July 27, 1890, and on November 14, 1903.

2. Those who possess the good reputation mentioned above may, although they may act with the Ordinary of the place to which they wish to go, in order that they may be received into his diocese, nevertheless, it shall not be permissible for them to migrate unless, beforehand, the bishop of the place to which they are to be received has promised to receive them, and has granted them some ecclesiastical office, and the Ordinary from whom they are departing has given them letters of dispensation in a specific form, according to what is prescribed below.

3. The Ordinary of the place to which the priest is not to be received, or who does not promise to receive him, shall not admit the priest, unless, after direct communication with the bishop of that place, through secret letters, he has certain knowledge that the priest is worthy, and that he may be admitted according to the norm of article 1. The Ordinary from whom the priest is departing shall not grant letters of dispensation for migration, unless: first, the priest belongs canonically to his diocese; second, unless

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he is legally able to provide a good testimonial about him; third, unless it is known beforehand from the letters of the Ordinary of the place to which the priest is to go that the priest will be received there and will hold some office. The Ordinaries are gravely burdened with the responsibility of observing these prescriptions.

4. Letters of dispensation for migration shall not be given by the priest's own Ordinary to any Ordinary in general, but specifically and expressly to the Ordinary of the place to which he is going, and, in addition to the customary testimonial, they must exhibit the individual's age and personal details, so that the person's appearance and characteristics are described in such a way that no one can be deceived about his identity. Letters that are otherwise written shall be of no value and shall be considered null and void.

[*Latin ed. p. 184*]

184 Acta Apostolicae Sedis - Official Commentary. However, the bishops of Italy are concerned with drafting such letters, who, after completing what is prescribed in the preceding article, refer the matter to this Sacred Congregation, which will grant permission in writing, to be communicated to both Ordinaries. 5. This rule applies especially and particularly to those who are about to migrate to the islands of the Philippines: they must, without exception, request permission to migrate, if they are from Europe, from this Sacred Consistorial Congregation; if, however, they are from America, from the Apostolic Delegate who has his seat of honor in Washington, D.C., observing, in all other respects, the rules established above. 6. It is not permitted for priests who have already migrated to a diocese to leave, either permanently or for a long time, to go to another diocese, unless both the proper Ordinary and the Ordinary of the place of residence agree; if, however, Italian priests are involved, the permission of this Sacred Congregation must also be obtained. 7. Religious who have been dismissed from their order, and who are stably incardinated in a diocese, shall be treated, with regard to migration, in the same manner as secular priests; otherwise, they will need a special dispensation from this Sacred Congregation to migrate. 8. Priests who, having disregarded this law, have rashly and presumptuously migrated, shall remain suspended from the administration of the sacraments; those who, nevertheless, dare to perform sacred duties (may God avert it), incur irregularity, and cannot be absolved from these penalties except by this Sacred Congregation. Concerning priests who minister to the spiritual well-being of migrating faithful. 9. The laws concerning migrating priests also apply to priests who, either during overseas travel or in foreign places of residence, even in Europe, minister to migrating laborers and other workers, whether they undertake this ministry of their own accord, or are appointed to this office by one of the Works that have been providentially established in our time for the benefit of migrants. Special

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Regulations for Local Ordinaries. 10. Bishops of America and other places should carefully inquire about priests who have migrated to their dioceses, whether they have a legitimate permission to remain, or whether they have acquired a certain right to remain, either through incardination or through a legitimate period of ten years.

[*Latin ed. p. 185*]

I. The Sacred Congregation Consistorial [orders] a period of reflection; those [clergy] who, if they are found to lack such an indulgence or right, and are otherwise useless to the faithful, shall be dismissed, after a suitable period has been determined for them, to their respective Ordinaries. The same [rule] applies to bishops in Europe, even when dealing with priests who, having been assigned the spiritual care of migrants, reside in the dioceses of those migrants, whenever they discover that these priests are harmful or useless to the faithful.

II. It is, however, the best and most desirable thing that the bishops of those regions from which people more frequently emigrate should confer with each other and determine how they can more conveniently provide priests, who are familiar with their language and distinguished by piety, doctrine, and prudence, to those of their faithful who are going to distant regions where another language is spoken; just as the Most Holy Lord considered the matter of those emigrating from Italia, so, or by some similar means, let one be chosen from among the Ordinaries to act in this matter on behalf of the others, so that the bishops of foreign regions may be able to approach him, whether in person or in writing, when they need priests suitable for the spiritual care of migrants.

CHAPTER II. Concerning priests who are going away for a short time.

12. To priests who, for an honest or necessary reason, are about to go to America or to the islands of the Philippines for a short time, the Ordinaries may grant letters of permission, without consulting the Ordinary of the place to which they are going, but always observing the following rules.

13. In the letters of permission, in addition to other things, express mention shall be made of the reason for the temporary departure.

14. The permission for the journey and stay shall be limited to four months; no permission shall be granted for six months, unless some extraordinary circumstance arises.

15. No permission to leave shall be granted to a priest who is not entirely approved of, unless it is first established that there is an honest and necessary reason for his departure; furthermore, his arrival shall be reported to the Ordinary of the place to which he is going, in a confidential letter.

16. However, priests from Italia, when sometimes going away for an honest and temporary reason, must first obtain permission to leave from this Sacred Congregation.

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17. Finally, those who have departed for a temporary reason must return after the allotted time has elapsed, and the Ordinary shall have no power to extend the permission once granted.

[*Latin ed. p. 186*]

186 Acta Apostolicae Sedis - Official Commentary. Whereas, if, either through infirmity or some other pressing cause, someone is unexpectedly hindered from fulfilling [an obligation], after the truth of the matter and the necessity of a dispensation have been established, it is permissible for the local bishop to extend the time until the first subsequent month; beyond that month, even if the reasons for the dispensation remain, it is permissible only for Apostolic Nuncios or Delegates who are present there to extend the dispensation for a suitable but brief period, under the condition that this is not done in a way that would delay either the bishop or the priest in fulfilling their proper duties, or that would hinder this Holy Congregation. Those priests who violate this rule shall remain suspended from divine functions. These provisions are valid, notwithstanding any contrary provisions. From the Sacred Consistorial Congregation, in Rome, on the 25th of March, 1914. ₤ß C. CARD. DE LAI, Bishop of Sabina, Secretary. S. Tecchi, Assistant.

II. APPOINTMENTS OF CHURCH OFFICIALS. By successive decrees of the Sacred Consistorial Congregation, the Most Holy Pope Pius X has provided the following churches with their proper pastors:

February 20, 1914. — To the cathedral church of Samogitia, the Reverend Francis Karewicz, of the same diocese, and canon of the metropolitan church of Mohylov, was appointed.

March 12. — To the cathedral church of Araçuí in Brazil, the Reverend Seraphim Gomes Jardim, of the diocese of Admantina, was appointed.

March 13. — To the cathedral church of Ariano, the Reverend Honoratus, formerly known as John Carcaterra, O.M., who is already custodian of the Holy Land, was appointed.

March 16. — To the titular archiepiscopal church of Sardica, the Reverend Father Anthony Augustus Intrecciatagli, formerly Bishop of Caltanissetta, was appointed, and he was designated as Coadjutor with the right of succession to the Most Reverend Archbishop of Monreale.

March 18. — To the cathedral church of Verdun, the Reverend Charles Ginisty, of the diocese of Rodez et Vabres, and parish priest of Saint Aphra, was appointed.

March 26. — To the titular episcopal church of Carpasia, the Reverend Eugene van Rechem, of the diocese of Ghent, was appointed as Auxiliary Bishop to the Most Reverend Bishop of Ghent.

March 28. — To the cathedral church of Roermond, the Reverend Lawrence Schrynen, of the same diocese, and rector of the minor seminary

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of Rodez, was appointed.

[*Latin ed. p. 187*]

The Sacred Congregation of the Consistory, April 2, 1914. — To the Reverend Octavius Pereira de Albuquerque, priest, vicar general of the archdiocese of Porto Alegre in Brazil, for the cathedral church of Piahun. — To the Reverend Joachim Domingues de Oliveira, priest, canon of the metropolitan church of Saint Paul in Brazil, and secretary of the archiepiscopal curia of that diocese, for the cathedral church of Florianopolis. — To the Reverend Francis de Aquino Correa, priest, of the Salesian Congregation, appointed as Auxiliary Bishop to the Most Reverend Archbishop of Cuiabá.

III. COLLATION OF ARCHIEPISCOPAL TITLES. Our Most Holy Lord Pope Pius X, by decree of the Sacred Congregation of the Consistory of January 15, 1914, personally conferred and added the archiepiscopal title of Cyzicus, retaining the episcopal see of Leon in Central America, to the Most Reverend Sir Simeon Pereira and Castellón, for the sake of greater honor.

IV. ERECTION OF DIOCESES AND A NEW ECCLESIASTICAL PROVINCE. Our Most Holy Lord Pope Pius X, by successive decrees of the Sacred Congregation of the Consistory, erected the following dioceses and a new ecclesiastical province:

December 17, 1913. — The territory of the diocese of Seattle, in the United States of America, at the request of the Bishop himself, was divided into two parts; a new diocese of Spokane was created in the eastern part, to which the following civil counties were assigned: Okanogan, Ferry, Stevens, Pend'Oreille, Buglas, Grant, Lincoln, Spokane, Adams, Whitman, Benton, Franklin, Walla-Walla, Columbia, Garfield, and Asotin. The remaining western part of the former territory was reserved for the diocese of Seattle. A new suffragan diocese was also established for the archdiocese of Oregon.

February 6, 1914. — The diocese of Paraíba was divided into two parts; the eastern part was reduced to the diocese of Paraíba itself, while the western part was constituted as a new and distinct diocese, to be called the diocese of Cajazeiras, with the same boundaries as the former diocese of Paraíba. The boundary between these two dioceses was established as the division of waters between the parishes of Saint Lucy of Sabugy and of Soledade, extending to the roots of the mountains of Teixeira, and then following the boundaries that...

[*Latin ed. p. 188*]

188 Acta Apostolicae Sedis - Commentarium Officiale: The parish of Teixeira was separated from those of Patos and Piamo, extending to the State of Pernambuco. Furthermore, the Holy See, as mentioned above, exempted the Parahyba diocese from the metropolitan jurisdiction of

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the Olinda Church and elevated it to the rank of a metropolitanate; and it assigned to it, as suffragan sees, the newly established diocese of Cajazeiras and the already existing diocese of Natal, both of which were likewise removed from the metropolitan jurisdiction of the Olinda Church, but attributing to the latter the suffragan see of Alagoas, which had previously been subject to the Archbishop of the Most Holy Savior of Bahia. March 3rd. – Having restricted the dioceses of Tucson, Dallas, and San Antonio in the United States of America, the same Holy Lord established the diocese of El Paso, to which He assigned the five civil counties commonly known as Grant, Luna, Dona Ana, Otero, and Eddy, as well as a portion of the county known as Sierra, which had been taken from the diocese of Tucson; also, the civil counties of El Paso and Gulberson, separated from the diocese of Dallas; and finally, thirteen counties taken from the diocese of St. Anthony, commonly known as Presidio, Jeffdavis, Reeves, Brewster, Terrell, Pecos, Grane, Ward, Loving, Winkler, Ector, Andrews, and Gaines. This new diocese, however, the Holy Lord subjected as a suffragan see to the metropolitan Church of the Holy Faith in America. V. CHANGE OF DIOCESAN BOUNDARIES. By successive decrees of the Sacred Congregation of the Consistory, the Holy Father, Pope Pius X: On February 9, 1914, a portion of the territory commonly known as Ehrensberg and Harres, separated from the parish of Pfaffenhofen and from the diocese of Augsburg, was permanently united to the parish of Niederthann and to the Archdiocese of Munich and Freising; On March 4, 1914, the town commonly known as Roseto Valfortore, with all its attached territory, was separated from the diocese of Ariano and permanently united to the diocese of Lucera; On April 2, 1914, the entire civil municipality of Fortaleza, together with the district of Aqua Vermelha belonging to another municipality commonly known as Salinas, and also territorial portions of the civil municipalities of Aracuai and St. Michael of Jequitinhonha, the same Holy See separated from the diocese of Montesclare and permanently assigned to the diocese of Aracuai; to the diocese of Montesclare, however, was united another portion of the civil municipality of Paracatu, which had been separated from the diocese of Uberaba, to which it had been subject.

[*Latin ed. p. 189*]

189. The Holy Congregation of Religious. HOLY CONGREGATION OF RELIGIOUS. I. DECREE: A COMMISSION IS ESTABLISHED FOR EXAMINING AND APPROVING NEW SODALITIES AND THEIR CONSTITUTIONS. The approval of new Sodalities, and the review of their Constitutions, has long been a matter of particular concern for the Apostolic See, and is rightly considered to be among the most important matters, and is reserved for the study and wise judgment of the Holy Congregation. However, since the approval of any Institute, and the review of its Constitutions,

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requires considerable labor, which will undoubtedly be considered even more burdensome, given the number of matters that the Fathers address in their plenary sessions, Our Holy Father Pope Pius X, at the suggestion of the undersigned Prefect of the Holy Congregation of Religious, in an audience on March 17, 1914, decided that such a task, concerning new Sodalities of simple vows, should henceforth be referred to a Commission of certain Consultors. Therefore, by the tenor of the present Decree, a special Commission of Consultors is established, presided over by the Cardinal Prefect of the Holy Congregation, and all matters pertaining to the examination and approval of any new Institute of simple vows, and its Constitutions, are referred to it, unless, for a special reason, or in the event of serious disagreements among the Consultors of the Commission, the Cardinal Prefect deems it more appropriate to refer the matter to the assembly of the Fathers. The order and manner in which the Commission shall operate are contained in specific regulations. The members of the Commission shall be chosen by the Cardinal Prefect himself from among the Consultors of the Holy Congregation. Given at Rome, March 24, 1914. O. CARD. CAGIANO DE AZEVEDO, Prefect. F. Cherubini, Sub-Secretary. ACTA, vol. VI, n. 6. — 23-4-914. 14

[*Latin ed. p. 190*]

190 Acta Apostolicae Sedis - Commentarium Officiale. NORMAE PECULIARES SERVANDAE IN RECENSIONE ET ADPROBATIONE NOVI INSTITUTI EIUSDEMQUE CONSTITUTIONUM. Per Decretum hac die 24 martii 1914 datum, et a Cardinali Praefecto S. Congregationis Religiosorum subsignatum, examen et approbatio novarum Sodalitatum, votorum simplicium earumque Constitutionum, remissa sunt speciali Commissioni Consultorum S. Congregationis, Praeside Cardinali Praefecto. Nunc ad eiusdem Decreti normam, hae statuuntur leges a Commissione servandae:

1) Cuiusvis instituti moderatores, cum approbationem eiusdem, seu Constitutionum exoptant, ad Secretariam S. Congregationis, una cum supplici libello rite subsignato, ac authenticis litteris testimonialibus Antistitum locorum in quorum dioecesibus seu territoriis Instituti domus reperiantur, decem saltem exemplaria Constitutionum mittant, itemque alia documenta ex quibus verus Instituti status personalis, moralis et oeconomicus dignosci possit. Memoratae vero litterae testimoniales, quae ab Ordinariis obsignari debent, in violatae S. Congregationi exhibendae sunt.

2) Cardinalis Praefecti pro tempore erit e Commissionis Consultoribus unum designare, qui, ad nutum eiusdem Praefecti, Secretarii munere fungatur.

3) Pro unoquoque examine instituendo, Cardinalis Praeses ex Commissionis Consultoribus unum deputet, eique ex officio documenta tradat quae ad Secretariam S. Congregationis pervenerint.

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4) Consultor designatus documenta rite ac sedulo perpendat, atque super eisdem suum votum scriptis proferat.

5) Consultoris votum, typis impressum, una cum Constitutionum exemplari, decem saltem ante diebus quam Commissionis coetus habeatur, singulis membris distribuatur.

6) Impressionis aliique necessarii sumptus ab Instituto, cuius interest, suppeditari debent, ideoque ab eiusdem moderatoribus congrua pecuniae summa apud aream S. Congregationis deponenda est, pro prudenti Secretarii eiusdem Congregationis arbitrio, in unoquoque casu determinanda.

7) Consultoribus Commissionis membris, quatenus in Domino id expedire iudicaverint, ut plenius de re cognoscant, partes interesse habentes excipere atque audire licebit.

[*Latin ed. p. 191*]

The Holy Congregation of Religious (1918): In examining and approving new Institutes or Constitutions, the Commission shall have before its eyes all that is established in the Holy Canons, in the Constitutions of the Holy Pontiffs, and especially in the Norms of the Holy Congregation [of Religious], and in the Decrees of the Holy Congregation of Religious.

9) The Consultors, having deliberated, with the Cardinal Prefect presiding, or, if he is hindered, the Secretary of the Holy Congregation, shall agree on a decision, and, after having heard the opinions, they shall declare, by individual votes, whether and how the requests of the members are to be satisfied.

10) Should serious disagreements of opinion arise, it shall be up to the Cardinal Prefect to decide whether it is appropriate or not to reserve the matter for judgment by a meeting of the Fathers.

11) The Cardinal Prefect shall submit the opinions or resolutions of the Commission, signed by himself, to the Most Holy definitive approval, and then, as is customary, he shall take care that they be put into effect through the Secretary of the Holy Congregation.

Rome, on the 24th of March, 1914.

Most Reverend Cardinal Cagiano de Azevedo, Prefect.

F. Cherubini, Under-Secretary.

APPOINTMENT: By Decree of the Holy Congregation of Propaganda Fide, the following was appointed:

March 16, 1914. — Reverend Father Franciscus Wolf, a member of the Society of the Divine Word of "Steyl" in Holland, was appointed titular Bishop of the Church of Byblus and Apostolic Vicar of the new Vicariate of Togolese in Africa.

[*Latin ed. p. 192*]

192 Acta Apostolicae Sedis - Official Commentary. SACRED CON-

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GREGATION FOR THE RITES. I. DECREE CONCERNING PRAYERS OFFERED FOR THE SOULS OF THE SERVANTS OF GOD WHO PASSED AWAY WITH A REPUTATION FOR HOLINESS. To the Sacred Congregation of Rites, a doubt was presented: "Do the prayers which are addressed to the Lord God to obtain graces through the intercession of the Servants of God who departed this life with a reputation for holiness, require the permission of a bishop, in order that they may be printed and disseminated among the faithful?" The same Sacred Congregation judged that the answer should be affirmative, according to the norms of the Constitution *Officii et Munerum*; nevertheless, the bishop ought to abstain from commending these prayers and, especially, from granting indulgences pertaining to them, in accordance with the spirit and intention of the decrees of the Sacred Congregation of the Holy Office and the Sacred Congregation of Rites. And thus it was decreed on March 21, 1914. Fr. S. CARD. MARTINELLI, Prefect. L. ® S. f. Petrus La Fontaine, Bishop of Chariest, Secretary. II. DECREE REGARDING THE APPROVAL OF THE TYPICAL EDITION OF THE ROMAN BREVIARY OF RATISBON. Since the Pontifical Commission, established by a written decree of the Most Holy Pope Pius PP. X on July 2, 1911, to arrange the new order of the Psalms in the Roman Breviary and to suitably revise the rubrics in accordance with that order, has presented to Our Most Holy Father that everything has been arranged and printed according to the norms of the Bull *Divino Afflatu* and the Motu Proprio *Abhinc duos annos* and subsequent decrees, in the Ratisbon edition of the Roman Breviary, divided into four parts, the Sacred Congregation of Rites, by order of Our Most Holy Father, decrees that this edition is to be considered the typical edition, to which all other editions must conform, and which shall remain entirely unchanged in the future, unless with the guidance of the best manuscripts and ancient texts.

[*Latin ed. p. 193*]

(Sacred Congregation of Rites, having completed all those things which require further time for their perfection, namely, the sacred text having been revised, historical readings corrected, and hymns reviewed, and the homilies and sermons of the Fathers and Doctors having been restored to the true reading, the Apostolic See has ordered that the final hand be applied to the work. From the Secretariat of the Sacred Congregation, March 25, 1914. Fr. S. CARD. MARTINELLI, Prefect. L. © S. •JT Petrus La Fontaine, Bishop of Chariestien, Secretary. The Sacred Congregation of Rites, having compared it with the typical edition of F. Pustet, divided into four parts, and with the editions of other Typographers of the Sacred Congregation, namely Desclée and Soc., A. Marne, H. Dessain, and P. Marietti, found them carefully arranged according to the typical edition, and approved them on March 27. III. APPROBATION OF THE OFFICE OF SA-

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CRED RELICS. On November 5, concerning SACRED RELICS WHICH ARE KEPT IN CHURCHES OF THE DIOCESE, ORDER, OR CONGREGATION. The following are said in the larger OFFICE, in the Hymns and other parts, which are not to be taken from the Psalter of the Feria, concerning the Feast of the Commemoration of Many Martyrs, besides the following: Prayer: Increase in us, O Lord, the faith of the resurrection, who, working wonders in the relics of your Saints: and make us partakers of that immortal glory, of whose pledges we venerate the remains. Through our Lord. IN THE SECOND NOCTURN: From the treatise of Saint John Damascene on the Orthodox Faith. Reading IV, Book 4, chapter 15: Christ, the Lord of the Saints, has offered the relics of the Saints as salutary fountains, from which many benefits flow to us, and which are most pleasing.

[*Latin ed. p. 194*]

194 Acta Apostolicae Sedis - Commentarium Officiale, and the unguent flowed forth. And let no one detract from this. For if water flowed in the desert from a hard and rough rock, and from the jawbone of an ass, to quench Samson's thirst, by the will of God, why should it seem incredible that a sweet unguent should flow from the relics of the Martyrs? Certainly, this is not understood by those to whom the power of God and the honor with which He glorifies His Saints are not made manifest and explored. Reading V. In the Law, indeed, whoever touched a dead person was considered unclean. But these are certainly not to be considered among the dead. For how can He who is Himself Life, and the Author of lives, be reckoned among the dead? We do not call those who, with hope of resurrection and faith in Him, have fallen asleep, dead. For who can work miracles upon a dead body? Therefore, by what means are the works of these [Saints] able to expel demons, to protect against sickness, to heal the sick, to cleanse lepers, to dispel temptations, and to bring forth all good things, to those who earnestly request them with unwavering faith, through them, descending from the Father of lights? What labor will you not undertake, that you may obtain a patron who will offer you to the mortal King, and intercede for you with Him? Are they not to be honored, who are patrons of the entire human race, and who offer supplications to God on our behalf? Reading VI. They are certainly to be honored, and indeed, so that in their name we may build temples to God, offer gifts, venerate their memories, and spiritually rejoice in them; that joy which will smile upon those from whom we are invited, lest, while we strive to honor them, we rather offend and displease them. For God is worshipped by the same things by which His servants are also delighted; and by the same things by which God is offended, His soldiers are also offended. Therefore, we who are faithful ought to honor the Saints, in spiritual psalms, hymns, and chants, also in contrition, and in mercy towards the poor, by which things God Himself is most worshipped. Let us erect statues and images of them, if they seem fitting; but rather, let

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us imitate their virtues, so that we may become living statues and images of them. In III Nocturno, Homily on the Gospel: "Jesus, descending, healed many who were sick, of the Common of many Martyrs, 2nd place." IN THE MASS: Introit: Ps. 33, 20-21. "Many are the afflictions of the just, but from them all, the Lord will deliver them. The Lord keeps all their bones: not one of them shall be broken."

[*Latin ed. p. 195*]

S. Congregatio Rituum, 195. *Responsorium*. Ps. Benedícite Dóminum in ómni témpore: semper laus ejus in óre méo. *Inscriptio*. Gloria Patri. *Oratio*. Auge in nobis, Dómine, fidem resurrectionis, qui in sanctorum tuorum reliquiis mirabilia operans: et fac nos immortalis gloriae participes, cujus in eorum cineribus pignora veneramur. Per Dóminum. *Lectio* ex libro Sapientiae, Eccli. 44, 10-15. "Hi viri misericordiae sunt, quorum pietates non defuerunt: cum sémine eorum permanent bona, hereditas sancta nepotes eorum, et in testamentis stetit semen eorum: et filii eorum propter illos usque in aeternum manent: semen eorum et gloria eorum non derelinquatur. Corpora ipsorum in pace sepulta sunt, et nomen eorum vivit in generationem et generationem. Sapientiam ipsorum narrent populi, et laudem eorum nuntiet ecclesia." *Graduale*. Ps. 149, 5. Exsúltabunt sancti in glória: laetabúntur in cubilibus suis. *Inscriptio*. Ps. Ibid., 1. Cantáte Dómino canticum novum: laus ejus in ecclesia sanctorum. Alleluja, alleluja. *Inscriptio*. Ps. 67, 4. Justi epuléntur, et exsúltent in conspectu Dei: et delecténtur in laetitia. Alleluja. *Evangelium*. Descéndens Jesus, ut in Missa, Sapientiam, de Communi plurimorum Martyrum, 2° loco. *Offertorium*. Ps. 67, 36. Mirabilis Deus in sanctis suis: Deus Israel ipse dabit virtutem, et fortitudinem plebi suae: benedictus Deus, alleluja. *Secretum*. Imploramus, Dómine, clementiam tuam: ut Sanctorum tuorum, quorum reliquias veneramur, suffragantibus meritis, hostia, quam offerimus, nostrorum sit expiátio delictorum. Per Dóminum. *Communion*. Ps. 32, 1. Gaudéte justi in Dómino: rectos decet collaudatio. *Postcommunio*. Multiplica super nos, quaesumus, Dómine, per haec sancta, quae sumpsimus, misericordiam tuam, ut sicut in tuorum solemnitate Sanctorum, quorum reliquias colimus, pia devotione laetamur; ita eorum perpetua societate, te largiente, fruamur. Per Dóminum.

[*Latin ed. p. 196*]

196 Acta Apostolicae Sedis. - Official Commentary. DECREE Concerning the uniformity to be observed in the Office to be recited with the Mass for the Feast of the Holy Relics; and to satisfy the proposed doubt: "Concerning this Feast, is it permissible, from now on, to recite the proper Office and to insert it into the diocesan Offices, according to what has hitherto been found in the Appendices of the Breviary and Missal of Rome?" The Sacred Congregation of Rites, by virtue of the special faculties granted to it

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by Our Most Holy Pope Pius X, has approved the aforementioned proper Office with the Mass for the Feast of the Holy Relics, and commands that it be used by all from now on, to whom this Feast has been granted. Contrary things notwithstanding. April 4, 1914. Fr. S. CARD. MARTINELLI, Prefect. L. ffi S. Petrus La Fontaine, Bishop of Charyste, Secretary. IV. DOUBTS The following doubts were proposed to the Sacred Congregation of Rites: I. On what days should the Feasts of the Holy Family and of the Most Holy Redeemer be celebrated, as well as the Feasts of the Blessed Virgin Mary of the Immaculate Heart, of Perpetual Help, of Joys, of Consolation, of Purity, and of Maternity, where such Feasts must still be celebrated by reason of the title or patronage or special Indult? II. When can the Sacred Communion be distributed to the faithful on Holy Saturday? And the same Sacred Congregation, having heard the vote of the special Commission, considered it best to respond in the following manner: To I. In order to obtain greater uniformity, notwithstanding the Decree of the Sacred Congregation of Rites of October 28, 1913, unless otherwise provided by the same Sacred Congregation, the Feast of the Holy Family shall be celebrated on January 19; the Feast of the Most Holy Redeemer, on July 15; and the Feast of the Blessed Virgin Mary of the Immaculate Heart, on the Saturday after the Octave of the Most Holy Body of Christ; of Perpetual Help, on June 27; of Joys, on August 27; of Consolation, on the Saturday.

[*Latin ed. p. 197*]

The Holy Congregation of Rites, in the year 1907, after the Feast of Saint Augustine, issued a decree concerning the Feast of the Nativity of the Blessed Virgin Mary, on October 11th, and concerning the Feast of the Immaculate Conception, on October 16th of the same month. Regarding the second point, in accordance with established practice and the decrees, especially decree number 2561 of Tifernaten, dated March 22, 1806, it is permitted to distribute the Holy Eucharist to the faithful on Holy Saturday during the solemnities of the Masses, and also after the Mass has been completed. And so it was decreed and ordered to be observed, on April 28, 1914. Reverend Father Cardinal Martinelli, Prefect. Reverend Father Peter La Fontaine, Bishop of Charyste, Secretary.

THE HOLY ROMAN ROTA OF MILAN.

CREDIT.

During the blessed reign of Pope Pius X, in the tenth year of his pontificate, on February 20, 1913, the Most Reverend Fathers, Doctors Joseph Mori, Ponens, Frederick Cattani, and Anthony Perathoner, Auditors of Tournon, in the case of Milan – Credit, between the Reverend Parochial Vicar Fulvio Vigano, the appellant, represented by his legitimate procurator, advocate Thomas Ambrosetti, and the Reverend Priest Aloysius

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Luraschi, the appellee, represented by his legitimate procurator, advocate Angel D'Alessandri, rendered the following final judgment.

In the beginning of the month of August of the year 1908, Aloysius Luraschi, who had recently been promoted to the priesthood and appointed by the Milanese ecclesiastical authority as an assistant to the parish of Saint Mary of Graces, commonly known as "al Naviglio," was appointed by the Reverend Parochial Vicar Fulvio Vigano as the assistant of the parochial oratory of Saint John Nepomucene. This office had already been offered to another priest, namely Anthony Giorgi, who had sent a notification regarding it, and for the management of whose duties a certain pious man had made an annual grant of 1000 lire. Since the parish priest Vigano was burdened with heavy expenses, he was concerned from the beginning to inform the new assistant of this situation, so that no debt would be incurred in the administration of the oratory. "I have already said that the declaration that I 'did not want debts' was made immediately at the beginning." Therefore, the expenses...

[*Latin ed. p. 198*]

198 Acta Apostolicae Sedis - Official Commentary which were to be derived from the revenues of the same ordinariate, which, like other similar ones, flowed from various sources, such as from a buffet, theatrical performances (theaters and cinemas), fishing and lotteries, and other similar entertainments. In the early years of administration, the priest Luraschi was seen to be behaving in a manner that was not in accordance with the established custom; but since he had purchased new objects for the oratory with his own money, the superior forbade this, considering that it was sufficient to cover the ordinariate's expenses solely from the revenues of the oratory, even for extraordinary expenses, such as, if they occurred, donations: "I also certainly told him in the autumn of 1909, and perhaps even earlier, that he should not spend his own money, because I had noticed that he was not well provided for." However, the assistant, having remained for not long within the limits of his mandate, was carried away by imprudence and youthful zeal, and began to incur more expenses than were appropriate for the revenues of the oratory, and, which is the worst, as is customary in such cases, the administration was not proceeding correctly, even disregarding the strict rules of accounting. While the superior was engaged in the construction of the church building, he trusted his assistant, believing that the affairs of the oratory were proceeding correctly. However, when, around the middle of 1909, some doubts arose, the superior immediately requested the administration's books. At first, Luraschi denied them, claiming that there were no debts, in the sense that, according to him, they could easily be covered over time from the increased revenues of the oratory. But, upon the superior's repeated insistence, the assistant Luraschi presented the administration's books, in which there were deficiencies in several entries of

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income and expenses, as well as lacking various supporting documents, or referring to some irregular items, or not yet settled. Having learned of these things, the superior was forced to dismiss his assistant, and in fact, he dismissed him at the end of April 1910. But, because some expenses had not yet been settled, the superior took care to ensure that these were covered, retaining a portion of the assistant's salary, amounting to 300 livres, which remained unpaid to the assistant. The dismissed Luraschi did not accept this in any way, but immediately appealed to the archiepiscopal court, requesting not only that the remaining salary of 300 livres be paid to him, but also that he be reimbursed for the sum which he claimed to have spent in advance for the management of the oratory, and that the superior should also be held liable for the outstanding debts. Before the dispute was formally conducted in a judicial manner, the court, with the effort of the prelate Nason, attempted to resolve the matter amicably, but, as the same Nason, the public prosecutor of the court, reports, due to the unwillingness of the appellant Luraschi, "when difficulties arose in 1910, between the coadjutor..."

[*Latin ed. p. 199*]

In the Roman Rota, number 19, Luraschi and the aforementioned, acting in my official capacity and by order received, endeavored to resolve the dispute amicably. After hearing both parties, I invited them to reach an agreement. Luraschi was a creditor for 300 lire, representing the remaining balance of his fee, and he was asked to waive this claim in favor of the oratory. The pastor accepted the proposal out of deference to me; however, Luraschi refused to agree. In this manner, the initial attempt failed, and another method of settlement was proposed to the parties, namely, arbitration, suggested by the same Nasoni. Reverend Charles Brera, prefect of the Porta Ticinensis, was chosen as the arbitrator, being well-informed about the nature of the pending issue. The arbitrator, Brera, on November 17, 1910, reached the following conclusion in his arbitration: "It is deemed that D. Luraschi is absolutely responsible for the debts incurred during the unfortunate management. Consequently, he must pay them, as he had previously protested that he would do. Therefore, the Reverend pastor can retain the 300 lire for the payment of these debts." However, despite this conclusion, the same arbitrator, in a subordinate manner, again urged the parties to accept the previously proposed agreement by Reverend Nasoni, "according to which Luraschi should not insist on recovering the remaining 300 lire of his fee, and the pastor should undertake to pay the remaining debts of the oratory, amounting to 872.40 lire, which Luraschi had not yet satisfied." The sentence, or rather, the agreement, proposed by the arbitrator was accepted by the pastor of Vigano; however, the priest Luraschi, threatened to bring the dispute before the civil authorities. Therefore, the court of Milan, in order to prevent scandal, established an ecclesiastical

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tribunal on June 6, 1911, the constitution and jurisdiction of which was recognized by the parties, although the pastor of Vigano had the decision of the arbitrator Brera in his favor. The tribunal instituted a process, hearing the parties and presenting witnesses from various places. After these and other formalities were completed, the parties reached the following agreement: namely, the plaintiff, Luraschi, stated: "That his claim for reimbursement of all expenses incurred in advance for the money needed for the management of the oratory should be recognized, reimbursement to be made by the defendant, D. Fulvio Vigano, as his principal, and that he should be recognized as having a right to that portion of his salary that had not been paid to him in his capacity as assistant and coadjutor, and that in the end, the correctness of the management of the oratory should be recognized"; and, conversely, the defendant, Vigano, stated: "That the management of the oratory by D. Luraschi should be declared irregular and exceeding the limits of the mandate conferred upon him, so that the aforementioned principal should be held responsible."

[*Latin ed. p. 200*]

200 Acta Apostolicae Sedis - Official Commentary: "regarding the creditors of the oratory concerning uncovered accounts, and regarding the principal concerning any possible advances." With these premises established, and after examining the facts and legal arguments, the tribunal on March 16, 1912, declared and determined: "1. The priest, Father Fulvio Vigano, as parish priest of 'St. Mary at the Naviglio,' must reimburse the Reverend Father Luigi Luraschi, assistant at St. Nazzaro, the sum of 1642.24 lire, plus civil interest from June 6, 1911, for the advances made by him in the management of the oratory of St. John Nepomucene. 2. The same Father Vigano must pay to the Reverend Father Luigi Luraschi the sum of 300 lire, which is still due to him as compensation for his assistance with the oratory, plus interest from June 6, 1911. 3. Finally, the same parish priest, Father Vigano, must directly provide for the settlement of the remaining debts of the oratory, with complete exoneration on the part of Father Luraschi." Since the aforementioned decision, and after the Reverend Father Vigano, yielding to the decision, duly appealed to the Royal Tribunal, the case was reopened, and the issue was once again presented under the following formula of doubt, agreed upon by the lawyers of the parties: "Does the Reverend Father Vigano owe the Reverend Father Aloysius Luraschi 1642.24 lire, plus interest as he has represented it, and furthermore 300 lire for compensation, plus interest, and must he also satisfy the amount still owed to the creditors due to the management of the oratory?" The Honorable Lords considered that the present question is not to be considered from a moral or criminal point of view, but only from an economic point of view, or concerning civil responsibility. This is clearly indicated in the conclusions presented by the parties in the appeal, and the appellant himself, Father Vigano, admits in

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his judicial testimony: "I do not accuse Father Luigi Luraschi of fraud or of misappropriation, but of imprudence and negligence in the management of the oratory, and I note the fact that the income does not correspond to the figures presented by Luraschi, as stated in my report on file." With these premises, the Honorable Lords proceed and state the following in court. In the present case, as emerges from the facts, Father Vigano is the principal, and Father Luraschi is the mandatary, because the principal entrusted the management and administration of the oratory to him. Indeed, the nature of a mandate is such that the mandatary must faithfully execute the mandate and not exceed its limits, for it is the will of the principal to accept the mandate, and it is a necessity to fulfill it according to law, articles 5 and 22 and following. Conversely, if the mandate is violated, the mandatary is liable not only for theological fault, but also for legal fault, or he must civilly compensate for the damage caused to the principal, to the extent that the mandate was not fulfilled.

[*Latin ed. p. 201*]

The Roman Rota, number 201, according to the prescribed manner. "This action is directly requested by the 'mandator' to ensure that the 'mandatarius' fulfills the mandate according to the prescribed manner, or otherwise pays for the damages incurred, according to the law, Procurator 8 ff. Mandates 1. 27, ibid. title, or in no way fulfills the mandate, or has exceeded the limits of the mandate, so that it causes harm to the mandator." And the aforementioned author maintains that the mandatarius is liable not only for a slight fault, which all are subject to, but also for the slightest negligence, because in accepting a mandate, one tacitly or expressly professes expertise: therefore, he should not have undertaken a task in which he knew, or should have known, that his incompetence or imprudence would be harmful to another, according to the law, Idem Juris 8, paragraph I, in fine FF. concerning the law on Aquilian liability. Compare Cuiac. in leg. 23 ff. Depositi Vinnium quaest., selected book, chapter 32. Troplong. On Mandates, number 38-89. However, if this can be true in Roman law, according to which a mandate is always gratuitous, it can be said and asserted with even greater reason according to modern laws, in which the mandatarius receives some compensation, as in the French, Austrian, and national codes. Therefore, in article 1746 of the Italian Civil Code, it is written: "The mandatarius is liable not only for 'dolo' (fraud), but also for negligence committed in the execution of the mandate. This liability for negligence is applied when the mandate is gratuitous, less strictly than in the contrary case (i.e., when the 'mandatum est cum mercede seu onerosum' - the mandate is with compensation or burdensome)." Therefore, the mandatarius is liable not only for what he did, but also for what he should have done and neglected to do, according to the law, II, code. Mandates. Domat. book I, title 14, section 2. Potier On Mandates, numbers 38, 46, 47. Voet, op. cit.

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Troplong, op. cit., number 431. Also, although the doctrine of Cardinal De Luca, dissertation 84, on credits and debts, alleged in general by the sacred defender Luraschi, that "under a mandate given to 'do something,' all power is conceded to do those things which are necessary or appropriate to the nature of the business, or without which it cannot be carried out, or which the mandator would likely have conceded if he had considered it," according to the text in leg. tin. § ff. on mandates, nevertheless, according to the aforementioned author, this is restricted to the case in which there is no prejudice from the mandator, or an alternative excess does not make the mandator's condition any worse, and therefore his consent can be rightly presumed. But this has nothing in common with the present question, in which the mandator sets limits on the manner of the management of the oratory, as will be evident below. Secondly, since the priest Luraschi derives his credit from the abandoned or relinquished administration of the oratory, it is necessary that the proper account be given of the obtained management, since the administrator, because of the administration.

[*Latin ed. p. 202*]

202 Acta Apostolicae Sedis - The official commentary cannot state that one is either a creditor or a debtor until an accounting has been rendered according to the terms of the text in law, canon 1, § Exactio Cod. de rei uxor. act. and delivered to Cardinal De Luca, book 1, section 61. In law, however, in order that an accounting be considered properly and correctly rendered, it is necessary to present all the relevant documents, to exhibit codes, books, and whatever else pertains to the accounting, so that the judge may examine and scrutinize it, who must decide on the justice of the accounting rendered. See Rota before Ansaldo, decree 480, number 5 and following; before Riminialdo, decree 728, number 8, law: "If anyone..." ff. de eden. law, law, law with "ff. de cond. et demon."; therefore, the notes of receipts and expenses, or the records of income and outgoings, must be supported and explained by the necessary documents and justifications, namely, according to the cited law de condit, and demon. "so that it may be explained whether the charges are properly or improperly stated, whether the receipts are correctly related or not." Compare Donellus, de iure civili, book 23, chapter 5, and Rota in Reatina, Accounting, April 24, 1826, paragraph 2; before Tiberi and Faventina, Accounting, before De Cursus. After these preliminary matters, proceeding to the facts, the Reverend Fathers diligently examined whether the priest Luraschi had observed the terms of the mandate entrusted to him and had conducted himself properly in the management of the oratory, so that he might recover the expenses and damages incurred as a result of the execution of the mandate, contrary to the purpose of the mandate, as he himself concluded in the first action, and now again contends. Indeed, in order to establish this, it must first be considered in what manner the aforementioned priest was entrusted

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with the care and administration of the oratory by the administrator of Vigano. Truly, whether from the confession of the administrator, or from the declaration of the very adversary Luraschi, or from the testimony of witnesses, it is clearly evident that the administrator of Vigano entrusted the aforementioned Luraschi with the task of assisting, under this condition, that no debts should be incurred, and that the assistant should not expend any of his own money for the oratory; the reason for this condition being that the parish priest of Vigano was already burdened with numerous expenses in the construction of the parish church, and the same condition had been imposed on the previous assistant, Giorgi. Indeed, the administrator, duly questioned by the judge, responded thus: "I have already said that the declaration that I did not want debts was made immediately at the beginning. And the declaration that I did not want him to spend his own money, I certainly made in the autumn of 1909, and perhaps even earlier, because I had noticed that he was not well provided." The same is implicitly admitted by the priest Luraschi himself. In truth, when he initially informed the administrator of the oratory's financial situation, he reports that the administrator responded to him, "to do what was necessary with due prudence."

[*Latin ed. p. 203*]

The Roman Rota, 203, states, "and after practicing economy, he would then be compensated with the proceeds of the oratory," which means the same thing as if he had said that the expenses and liabilities of the oratory should only be addressed with the oratory's own income. This is also confirmed by the fact that Luraschi always endeavored to conceal the debts from the prefect, whenever he was asked about this matter, and he repeatedly gave the prohibition from the beginning, as, for example, at the beginning of the year 1910, when there was talk of acquiring a cinematograph machine, installing a new lighting system with electric lights, and so on; indeed, Luraschi's deception progressed to the point that he did not hesitate to assert, against the truth, that there were no debts, not only before the prefect himself, but also before the Most Reverend Archbishop, admitting that he was excusing himself from the false assertion with the mental explanation that the debts mentioned would later be easily extinguished with the oratory's eventual revenues. Furthermore, another statement by Father Luraschi regarding the presentation he made to the prefect in January 1910 concerning the oratory's debt of 1000 lire must be considered: "In general, I presented these accounts, saying to him: 'Sir prefect, do not be alarmed, and be aware that I am in credit for more than 1000 lire,' and then the prefect observed them and did not even retain them." However, the prefect completely denies that such a presentation of debts was made to him: "I was questioned about the cinematograph, but without being told about the debts that existed, while I had requested it." Moreover, the

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instruction given by Luraschi to his assistant regarding not incurring debts is clearly proven by the testimony of several witnesses. Thus, Francis Vaghi, the prefect of the oratory, at the time of the appointment of that priest as his assistant and during the presentation made by the prefect, stated: "The prefect, in my presence, recommended and almost imposed on him not to incur debts, both because the oratory had always operated in this way, to which the last assistant, Giorgi, had only attempted to deviate, and because the prefect had a just reason for not making expenses unless he had the money to cover them" (and this, especially considering the burden placed on the prefect of completing the parish church). The witness Guido Novi also states that he had noticed the rule that the prefect applied to his assistants regarding the prohibition of debts, and that he himself had been given the same instruction from the beginning of the year 1909, when he assumed the duties of assistant. In this matter, the testimonies of the priests Gussoni and Biella also agree remarkably; the former testifies as follows: "Prefect Vigano, in the first months of 1909, declared to me that he had repeatedly told Assistant Luraschi that he did not want him to..."

[*Latin ed. p. 204*]

204 Acta Apostolicae Sedis - Official Commentary: "He insisted that no one should use their own money in the oratory. These recommendations seemed to me like a true command. I distinctly remember that in July or August 1909, he told me that Luraschi had promised 50 lire for the oratory, and that he had reprimanded him, believing the offer to be beyond his means." The witness from Biel states: "Yes, it is true that Mr. Luraschi told me, and I believe he repeated it, that the parish priest had forbidden him from putting his own money in the oratory; but that he wanted to continue to use some of his own money for the oratory, and when I pointed out that he should obey the parish priest, he replied that he was the master of his own money and could use it as he pleased." Furthermore, this prohibition is further confirmed by the testimonies of witnesses from the opposing side. Father Firmus Mantovani states: "I believe that one could have proceeded more slowly with these expenses, as I know that the parish priest recommended." Father Anthony Giorgi, who assisted in the oratory and had to refund 100 lire of his own money to cover debts incurred in the management, recounts that the same rule was presented to him upon taking on the management: "At the beginning of my assistance, the parish priest said to me: 'I am giving you a free hand, but do not ask me for money,' and he repeated this several times: 'Do not make debts; if you do, you must pay them.'" Therefore, there is no doubt that a limitation was imposed on Father Luraschi, the priest in charge of the oratory's management, regarding the incurring of debts, and that he was forbidden from spending his own money. This is also evident from Luraschi's own confession, and from the limits recorded in the administration books, which

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he clearly exceeded in the execution of his mandate. Consequently, Father Luraschi cannot legally bring an action to recover money for debts incurred, which have been paid or represented, against the parish priest of Vigano, nor can he force him to forgive the remaining debts, but he alone must bear the responsibility, according to the well-known legal principle: "Let him bear the damage that he suffers through his own fault, and not others." Furthermore, Father Luraschi cannot validly appeal to an implied contract for the approval of debts by the parish priest, in cases where he either did not attend or did not participate in extraordinary expenses, such as the purchase of a cinema projector or the installation of electric lights, because, as stated above, Father Luraschi attempted to conceal the debts from the parish priest, either by denying the existence of the management books or by claiming that they existed in such quantities that they could easily be covered by the oratory's regular income. Indeed, Father Luraschi, when properly questioned, responded: "It is true that once, when asked (by the parish priest), when the disagreements had already begun and the expenses were already significant..."

[*Latin ed. p. 205*]

205 The Roman Rota inquired whether there were any debts, to which I replied that there were none, in the sense that I myself had already settled with the creditors, and that I was prepared to settle with any other creditors who had not yet presented their accounts, reimbursing myself later from the income of the oratory, which I believed I would be able to continue to use. And, in contrast, the superior of Vigano completely rejected this tacit approval, especially in the case of extraordinary expenses: "On one occasion, I was asked to sign an obligation to pay for the electrical installation and the stage, with the understanding that I would receive income from a raffle and donations specifically for this purpose, and then I saw these funds being used for decorations and other expenses, which caused a cooling in our relationship." Later, he would often say, "If he has money in his pocket, let him pay; if not, no." And elsewhere: "I was also consulted about the piano and the electrical installation, which I accepted on the condition that they be paid for with the income from the raffle; I was also consulted about other expenses, but I always based my decisions on the declaration I had made to him at the beginning, that he did not want any debts." Now, do these declarations completely align with another statement admitted and reported by Luraschi himself, which was made to him by the superior at the beginning of the oratory's commission, namely, "to do what was necessary with due prudence and economy, and then to be reimbursed from the collections of the oratory?" Given these declarations, how can the discussion about the ratification of debts be justified? Furthermore, the esteemed Lords did not consider the reasoning of the appealed sentence to be acceptable, which the defender of the priest Luraschi presented, draw-

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ing it from the special purpose of the mandate in the present controversy, which, in fact, consisted not of a commercial transaction, but of the care and promotion of the spiritual good of the members of the oratory. "Since there is no strictly particular economic interest of the mandator in this matter," the sentence states, "but rather the pursuit of souls and the spiritual care of the youth, this should constitute the supreme purpose of the action for both parties involved, the mandator and the mandatary, since both are priests; therefore, the limitation of the mandate should not be sought so much in the expressed or supposed will of the mandator, as in the suitability of the work performed by the mandatary to achieve the desired goal." But this eloquent reasoning, presented to define the limits of the mandate, is irrelevant: 1) Because it might perhaps be invoked when no limit or law had been imposed by the superior in the transfer of management for making expenses, which is the case here; 2) because the invoked reasoning is based on a false assumption, namely, that the spiritual good of the youth can better be obtained by incurring debts, from which the oratory's activities are often hindered.

[*Latin ed. p. 206*]

206 Acta Apostolicae Sedis. - The commentary officially states that, as experience teaches, ruin rather than benefit follows from such a course of action, and this is especially true when it involves the detriment of others, rather than proper administration; 3) because the intended spiritual goal could equally have been achieved despite the prohibition, by seeking permission and the consent of the superior, presenting to him the financial situation of the oratory, should debts need to be incurred: which Luraschi did not do, but rather acted according to his own will and judgment, disregarding the prohibition of the superior and declaring himself to be "the master of his money." Therefore, although the method of action of the priest Luraschi regarding the alleged fraud cannot be established, he cannot be declared immune from legal guilt, according to the facts presented above, and this is sufficient to declare that he must, according to the aforementioned legal principles, be held civilly responsible for the debts incurred. However, setting aside for a moment the argument derived from the nature of the undertaking itself, the Most Reverend Lords also wanted to reject the priest Luraschi's petition for another reason. Indeed, since he claims that the credit in his favor results from expenses incurred, and demands repayment of this amount along with the cancellation of existing debts, it is necessary that this be proven by documented evidence, for no claim arises from a debt without any supporting document, as the Sacred Rota states in Romana Pecuniaria, decree 283, n. 3, before De Cursus. Furthermore, the priest Luraschi's claim could primarily be rejected based on his own declarations made previously, both before the superior and before the court or Archbishop, that the oratory's administration was not burdened by debts.

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Secondly, it could be argued that the alleged debts do not exist, but are fictitious, based on certain words and boasts made by the priest Luraschi, which, according to the witness Lacqua, sounded like this: "If I have to leave, the rector must pay me," and again, according to the witness: "The young people of the oratory said that Luraschi 'wanted 2000 lire to leave.'" The same witness affirms that he does not "doubt" that the oratory's boys, when confronted with the expenses made by Aloysius, exclaimed: "Eh! so much has been taken from the collections." But without insisting on such indications and conjectures, it is necessary to proceed to examine the accounting books of the administration by the aforementioned priest and the details of income and expenses. Indeed, it is established that an administrator can only be refunded or released from debts by properly rendering accounts of what was received and spent. But whoever claims this must necessarily attach supporting documents for both sides, which is also explicitly stated by the rule of practice of our Sacred Tribunal: "Whoever is required to render an account must present it with the supporting documents." Therefore, let us first examine what the expert, Marangoni, says about the accounting of the oratory presented by the priest Luraschi, and to him...

[*Latin ed. p. 207*]

The Roman Tribunal states: "Following the assignment given to him, the undersigned presents the observations that emerged during the review of the aforementioned administration. Receipts: In this section, there is a lack of justificatory documents. Among those presented, some are irregular due to the absence of a stamp, a receipt, or the creditor's signature; and after a calculation of income and expenses, the resulting deficit amounts to: 'Cash debt of 1642.24 Lira, accounts to be paid of 872.24 Lira, totaling 2514.48 Lira. Of this total sum, the first part, namely 1642.24 Lira, Father Luraschi claims should be refunded to him; and for the remaining sum of 872.24 Lira, Father Luraschi requests that it be assumed by the same administrator. But this is unjust: when the income and expenses of a particular account are not clear due to a lack of documents, it is the administrator, and not Father Luraschi, who did not conduct the administration properly, who must answer for them. The calculation made by the expert Marangoni was based on a certain book, commonly called a ledger, presented by Luraschi, but since it was compiled in a disorderly and haphazard manner and lacks the necessary supporting documents, it cannot be given any credence in court; therefore, in the matter of the alleged debt and the release from burdens through the adjudication of remaining debts to the administrator, the principle can rightly be invoked: 'He who does not prove, loses his case.' Nor can Luraschi offer the excuse that those who incur expenses do not always provide detailed receipts: this is certainly true when these receipts are not requested, but they should always be requested in proper administration,

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so that in any eventual accounting, these receipts may serve as legitimate proof of expenses. Furthermore, the deficiencies in the administration become even more evident if the income accounts are also examined: for example, the operation of the canteen, commonly called a buffet, which, when calculated with income and expenses, resulted in a deficit. But this, according to Marangoni, and also according to several witnesses brought by Luraschi himself, should rather have been a surplus. Joseph, who was addicted to the same activity, does not hesitate to state: 'I cannot precisely determine the percentage of profit that was sought on each item consumed, but I believe that the overall profit of the buffet could be around 20% of its expenses, despite the fact that the actors and all those who provided some service to the Oratory were entitled to some free drinks.' And then he reports that after the administrator took over the management of the Oratory, he ran the canteen with a profit. Peter Giorgi, a seller of goods for the same canteen, in order to recover the outstanding price for the goods supplied, proposed to the administrator 'to take over the buffet for 30 Lira per month, and was also willing to increase the amount.' The predecessor, Anthony Giorgi, also states: 'The ordinary expenses for entertainment were covered by the income from the theater, the profits from the buffet, and a lottery that, in 4 years, reached the sum of 7000 Lira.'"

[*Latin ed. p. 208*]

208 Acta Apostolicae Sedis - Commentarium Officiale. Thus, it could only have happened that the entries of income, with regard to this matter, in the books 2038,48, for the 22 months during which the management of the oratory continued with the assistant Luraschi, were absorbed by the passive entries in the book 2191,25? Furthermore, it cannot be asserted that the amount paid for the improvement of the building or the room for the servant was an active expense, provided that the superior provided for this expense with eight hundred livres. Also, if the revenues from the theater and cinema are examined, it absolutely cannot be asserted that these correspond to the truth, first because they lack the necessary documents by which the amount of the income could be determined. Furthermore, those who were at the door of the theater, distributing tickets and collecting payment, testify that they added the "distinta dei valori" (ticket denominations) each time when handing over the money; but these notations are now missing: how, therefore, can the description of income made by Luraschi in his management book be considered reliable? Similarly, for the sake of illustration, let us examine the income from two performances of the drama "Emani," in the month of August of the year 1909. In Luraschi's management book, for the first performance, he noted 44.60 livres, and for the second, 50 livres. To corroborate this income, Luraschi presented the witness Aloysius Bertelli, who, initially, confirmed the assistant's assertion, confirming the aforementioned amount: but later, spurred by his

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conscience, he retracted his testimony in a letter sent in April of the year 1912 to Judge Balconi, declaring that the income derived from the aforementioned drama was far greater, "while the first time, alone, it amounted to 100 livres," and he added that the true income was what he himself had revealed to the sisters Angiolini. Indeed, although this witness, by contradicting himself, does not merit trust, a different judgment must be made regarding the subsequent testimony of the sisters Angiolini. These, after stating that both A. Luraschi and the priest Ernest Lazzati visited the home of Aloysius Bertelli on several occasions to have him sign a document regarding the income from the theater prepared by them, added: "Mr. Bertelli on other occasions told me that the proceeds from 'Emani' 'the first time amounted to 145 livres and the second time to 80 livres.'" Nevertheless, despite these statements, the entry in Luraschi's management book indicates a much smaller amount. Therefore, the superior Vigano rightly objects to the proposed petition: "I do not accuse D. Luraschi of fraud or of improper appropriation, but of imprudence... and I note the fact that the true income does not 'correspond to the figures presented by D. Luraschi.'" Finally, the Reverend Fathers gave no weight to the argument presented by Luraschi and by the expert Sala, namely, that if the debts initiated by Luraschi are not recognized, the objects purchased and still in the oratory should be returned.

[*Latin ed. p. 209*]

The Roman Rota, in its judgment 209, states: "It would not be equitable, moral, or just that the Reverend Provost, 'after so many sacrifices made by Luraschi, should retain as his own property all the furnishings, the piano, the cinematograph, the theatrical equipment, etc., left by the assistant on the premises, when the same Reverend Provost does not wish to acknowledge the expenses of purchase.'

First, it must be investigated whose money was used to purchase these items. According to the Marangoni report, the income from fishing and lotteries amounted to 1173.88 livres, from various offerings, 313.50 livres, and from collections taken during pilgrimages, 720 livres, for a total sum of 2207.38 livres. Where and how was this sum spent? The Reverend Luraschi must demonstrate this, since the income from the theater and the canteen was almost equal to his own, or at least did not rise significantly.

Furthermore, it should be noted that the Provost of Vigano contributed a considerable amount of his own money to extraordinary expenses, namely, 1185 livres on December 23, 1909, for the construction of the stage and related items; 11,000 livres for the construction of the hall; 800 livres for the restoration of the canteen; and 1500 livres for the installation of electric lighting in the oratory and chapel.

Therefore, in order for Luraschi to be able to claim the new furnishings acquired in the oratory under his supervision, he must first prove that these

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were purchased with his own money, and not with income from the oratory or elsewhere.

Regarding the sum of 300 livres still owed to Luraschi, as noted by the Reverend Fathers, this must first be reduced by 141.90 livres, which the Provost was compelled to pay, as evidenced by the receipt from the Bellezza inn in the records, for a meal held on February 12, 1910, by Luraschi and his associates from the oratory, and which expense is not recorded in the oratory's accounting book. The remaining credit, the Provost may retain as a guarantee until the debts from the oratory's management are paid or justified.

After carefully considering and examining all of these matters, invoking the name of Christ, We, the undersigned Auditors, sitting for the tribunal and with only God before our eyes, regarding the disputed question: "Should the Reverend Vigano pay the Reverend Aloysius Luraschi 1642.24 livres with interest, which he claims, and also 300 livres for expenses with interest, and also satisfy the amount still owed to creditors due to the management of the oratory in this case?" We answer in the negative, and therefore we overturn the judgment of the Court of Milan, declaring it to be invalid, and furthermore, we declare that the expenses are considered to be offset between the parties. Thus we pronounce and definitively judge, ordering the Ordinaries of the places and the officials of the tribunals to whom it pertains, to enforce this our definitive judgment, and against those who resist, to proceed according to the laws.

[*Latin ed. p. 210*]

210 Acta Apostolicae Sedis - The Official Commentary shall yield to the norms of the sacred canons, and especially canon 3, session 25, concerning reforms, of the Council of Trent, with the executive and coercive means applied which shall appear more suitable and efficacious according to the circumstances. Rome, on the 20th of February, 1913. Joseph Mori, Pope. Frederick; Anthony Perathoner. Rev. T. Tani, Notary.

SECRETARY OF STATE

BY ORDER OF

Regarding the appointments of protectors, the Holy Father has deigned to appoint:

March 31, 1914. — His Eminence, Cardinal Basilio Pompilj, Protector of the Institute of the Sisters of the Little Company of Mary.

April 2. — His Eminence, Cardinal Antonio Vico, Protector of the Institute "of Religious Adorers, Slaves of the Most Holy Sacrament and of Charity."

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April 5. — The same His Eminence, Cardinal Vico, Protector of the Bare Oblates of the Third Order of the Most Holy Trinity of Valencia (Spain).

April 9. — His Eminence, Cardinal Gaetano Bisleti, Protector of the Benedictine Religious of Calvary.

April 11. — His Eminence, Cardinal Antonio Vico, Protector of the Institute of the Sisters of Christian Doctrine, of Seville.

April 13. — His Eminence, Cardinal Basilio Pompilj, Protector of the archiconfraternity of Mary Most Holy of the Carmel, at Tre Cannelle in Rome.

April 15. — His Eminence, Cardinal Gaetano de Lai, Protector of the Institute of the Handmaids of the Sacred Heart.

April 18. — The same His Eminence, Cardinal Vico, Protector of the Institute of the Sisters of Consolation of Tortosa.

[*Latin ed. p. 211*]

From the Roman Curia Diary, with a letter from the Secretariat of State dated March 26, 1914, the Holy Father deigned to call to participate, as Consultors, in the Liturgical section of the Sacred Congregation of Rites, according to the Motu Proprio "Quanta semper cura": two members of the College of Pontifical Masters of Ceremonies, to be elected by the College itself, to especially participate in the weekly meetings; the Most Reverend Monsignors Nicola Marini and Marco Vattasso; the Reverend Fathers Angelo Mercati, Ubaldo Mannucci, Leone Gromier, and Francesco Ferretti; the Reverend Fathers Ildefonso Schuster, O.S.B., Enrico Quentin, O.S.B., Paolo M. Ferretti, O.S.B., Pasquale Brugnani, O.M., Eusebio Clop, O.M., Gerolamo Mileta of the Conventual Minor Order, Elia Coccia of the Discalced Carmelites, Leopoldo Fonck of the Society of Jesus, Giuseppe Haegy of the Congregation of the Holy Spirit, and Vincenzo M. Egidi of the Missionaries of the Sacred Heart. With Apostolic Briefs, the Holy Father deigned to appoint: Assistant at the Papal Throne: March 17, 1914. — Monsignor Giovanni Maria Camilleri, Bishop of Gozo. Apostolic Protonotaries ad instar participantium: March 16, 1914. — Monsignor Domenico Marino, canon of the cathedral of Ariano di Puglia. Domestic Prelates of His Holiness: March 18, 1914. — Monsignor Domenico Brozzi, canon of the patriarchal Basilica of the Vatican. March 22. — Monsignor Luigi Pedrelli, pastor of the SS. Vitale and Agricola in Bologna. March 28. — Monsignor Odoardo Conington, canon of the cathedral of Achonry, and Monsignor Dionisio O'Hara, pastor of Kiltimagh, in the same diocese. April 7. — Monsignor Ruggero de Teil, residing in Paris. HONORS With Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Grand Cross of the Order of St. Gregory the Great, civil class: March 3, 1914. — To Mr. Ottone Willmann, of the diocese of Leitmeritz. The Commander's Cross with plaque of the Order of St. Gregory the Great, civil class: March 24,

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1914. — To Mr. Antonio Vuković, a nobleman of Vukoidol, of the diocese of Macarska.

[*Latin ed. p. 212*]

212 Acta Apostolicae Sedis - Commentarium. The Order with insignia of the Order of Saint Gregory the Great, military class: April 1, 1914. — To Mr. Giulio Peringer, major and aide in the third division of the Bavarian army at Landau. The Order with insignia of the Order of Saint Sylvester the Pope: March 28, 1914. — To Mr. Alberto Richir, residing in Brussels. The Order of the Order of Saint Sylvester the Pope: March 25, 1914. — To Mr. Professor Knight Melchiade Posi, of Rome. March 31. — To Mr. Adolfo Minestroni, of Rome. The Knighthood of the Order of Saint Gregory the Great, civil class: January 8, 1914. — To Mr. Francesco de Mayer, assistant director of auxiliary offices in Austria. February 14. — To Mr. Gerardo Giovanni Evers, of the diocese of Harlem. March 25. — To Mr. Knight Doctor Francesco de Aynat y Albarracin, of the diocese of Cartagena. — To Mr. Enrico Abele, of the archdiocese of Rheims. April 1. — To Mr. Carlo Louette, of Nice. April 3. — To Mr. Advocate Teófilo Dufresne, of the diocese of Geneva. The Knighthood of the Order of Saint Sylvester the Pope: January 8, 1914. — To the gentlemen Rodolfo Wiedermayer and Carlo Rittchen, senior officials of the chancellery, and to the gentlemen Francesco Lechner and Edmondo Hauser, officials of the chancellery in Austria. March 24. — To Mr. Costantino Parisi, of Rome. March 28. — To Mr. Camillo Viviani, of Rome. — To Mr. Romolo Ghirlanda, of Milan.

[*Latin ed. p. 213*]

Year VI. - Vol. VI. May 15, 1914. No. 7. *ACTA* OFFICIAL COMMENTARY OF THE PAPAL ACTS OF POPE PIUS X. APOSTOLIC CONSTITUTION CONCERNING THE ADMINISTRATION OF THE MAJOR SEMINARY IN CALABRIA. PIUS, BISHOP, SERVANT OF THE SERVANTS OF GOD, FOR THE PERPETUAL MEMORY OF THE MATTER, having undertaken from the beginning of Our pontificate the purpose of restoring all things in Christ, We have, with God's help, deemed it fitting that institutions, in which young clerics are nurtured, should claim a very large part of Our care. For no one is there who, through experience, has not discovered that the good morals of the laity and the study of Christian virtues are so closely connected with the holy life of clerics, that one, if the other is removed, one can confidently hope to achieve the other in vain. Hence, the perpetual care of the Church to prevent the unworthy or those not sufficiently suitable from being admitted to the priesthood; hence, the constant solicitude of the same to ensure that those who are approved and called by God are prepared in such a way that they may offer a ministry that is useful to religion and to the state, through goodness, discipline, and knowledge. For these reasons, We have never refused eagerly to seize

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opportunities to offer, in this matter, acts of pontifical foresight. *ACTA*, vol. VI, no. 1. - May 15, 1914. 16.

[*Latin ed. p. 214*]

"Acta Apostolicae Sedis" – Official Commentary, presents the following arguments. For, whenever the occasion arose, We have earnestly exhorted the venerable brothers, Bishops, to devote particular attention to seminaries, and We have sent men to examine the situation of many of them, to report to Us on their condition, and, with the aid of letters and subsidies, and with the prudence and diligence employed by the Most Reverend Congregations, and other means available, We have fostered and promoted such institutions for the sacred youth, so that We might not only strive to safeguard what is most important, namely, the good odor of Christ and the vigor of holy discipline, but also, as far as possible, to attend to other matters which, in the very order of this mortal life, are worthy of being employed to assist the clergy in achieving the best goals. Since, in many dioceses, either due to the precariousness of family circumstances, or due to the small number of students, or due to a lack of other resources, it was not possible for seminaries to provide instruction in which, along with the study of letters, the more important disciplines could also be properly taught, We have repeatedly urged the local Ordinaries to establish, with the resources available to them, communal residences for the clergy, in which philosophy and theology could be studied more fully and abundantly. These measures, implemented in several dioceses, both within and outside of Italy, have resulted in the establishment of separate institutions for younger clerics, in which discipline, the regimen of life, acts of piety, and other related matters are prescribed in such a way as to be more suited to the age and studies of each individual, and in which schools, with a larger number of adolescents gathered together, flourish more abundantly through the diligence of the students and the instruction of the teachers. But what seemed useful in other regions was deemed so necessary in Italy, given the circumstances in which We find ourselves, that no delay could be tolerated. Therefore, in letters dated January 16, 1905, addressed to the Cardinal Prefect of the Sacred Congregation of Bishops and Regulars, We declared that it was of the utmost importance to establish these communal seminaries in various regions of Italy, where the need was greater, and..."

[*Latin ed. p. 215*]

Acta Pii PP. X 215: We have addressed the matters concerning which it was necessary to act. – Our endeavors were aided by divine grace, and with the consent of the Bishops, to whom it was clearly evident what was for the good of the Church, and what the times demanded, within a few years, almost throughout Italy, larger residences for the clergy were established, which we have always favored, and often aided with money.

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In this matter, guided by a prudent counsel of charity, we hastened to assist the Churches of Calabria, where the need for assistance was greater. It had been discovered with particular concern that they were in need, both because of the inadequacy of seminaries, and because of the hardships of the family situation. Recent calamities, by which we lamented this flourishing province being overwhelmed with threats and grief, made our willingness even greater. Therefore, moved by love, we decided to add further benefits to those already bestowed, and to establish new buildings in Calabria for the use of the clergy, which would promise great blessings for the Church and the state. While deliberating on the location to be chosen, the city of Catanzaro seemed to us to offer the greatest opportunities for the matter. And we designated a place in its vicinity, called by the Lord of Heaven: a healthy and pleasant estate, easily accessible, and with a delightful view of the Tyrrhenian Sea. At our expense, we ordered a new building for the seminary to be built there, and we equipped it with all the necessary things, so that the Calabrian clergy, as a testimony of their willing spirit, might be more closely bound to us, and perform their duties with greater diligence. Moreover, it was fitting for our care to appoint as the first rector of the students, George De Lucchi, a priest whom we have found to be most worthy in faith, piety, and doctrine. And to him, who had been taken from his students by premature death, we provided a successor, another priest adorned with no less abundance of virtues, whom, just as his predecessor, we raised to the episcopal rank, so that both might have greater authority and dignity. And with things proceeding so favorably, it seems that nothing remains except that the work, which the Bishops of Calabria...

[*Latin ed. p. 216*]

The Acts of the Apostolic See – the official record – have expressed desires, received applause, and inspire great hope; therefore, let us strengthen and better equip the discipline, so that it may provide a more abundant capacity and hope for the education of the ministers of the sacred order, so that they may bear forth the sanctity of life and the ornaments of Catholic doctrine for the good of the Church. Therefore, for the advancement of religious affairs and for the benefit of the Churches of Calabria, by Our apostolic authority and in Our name, as We have deemed fitting, We grant the following rights to the Major Seminary, established near the Catacomb, and We entrust it to the care and vigilance of the archbishops and bishops, whose dioceses are within the boundaries of the three civil provinces of Reggio, Consentia, and Catacium, to govern and regulate according to the laws written below.

I. The building of the Seminary, the land adjacent to the buildings, and everything that is within the land or the buildings, are perpetually under the authority of the Roman Pontiff.

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II. The Seminary is governed by the authority of the Apostolic See, which will administer it through the Sacred Congregation Consistorial, as it shall have seen fit.

III. The buildings of the Seminary are intended for all clerics of the aforementioned provinces who are students of philosophy and theology; and none of them, unless they have a special dispensation granted by the Apostolic See, will be able to be promoted to the sacred orders unless they have devoted themselves to these disciplines therein.

IV. It is permitted to all the Ordinaries of Calabria to consider this Seminary as their own; to visit it whenever they wish; and to visit their own clerics there. However, so that the same order of discipline may be observed for all, it is not permitted to any of them to give special instructions, not even for their own clerics, outside of the common rules, or without the consultation of, or against the will of, the Rector.

V. The archbishops and bishops of Calabria shall meet in a group each year to consult on matters of common concern for the Institute. These meetings, like the annual episcopal conferences, may be held in the buildings of the Seminary. The assembled archbishops and bishops will discuss the discipline and morals of the students, and:

[*Latin ed. p. 217*]

Acta Pii PP. X 217: Concerning the method of teaching, they shall diligently inquire into economic matters and provide what is necessary. VI. The assembly shall be presided over by the Prelate who is most distinguished in rank or age; the Rector of the Seminary shall be present from the proceedings. VII. It shall be the duty of the Bishops to enact these laws, and, according to common law, to deliberate on matters which they judge to be beneficial to the Institute. VIII. When the Bishops have first convened in the assembly, as mentioned above, they shall choose three Prelates present who shall assist the Rector in deliberating on matters that may arise within the year, and on those matters which the Rector himself may not wish to, or be unable to, undertake. The elected Prelates shall serve for a period of five years; after this period has elapsed, they may be reappointed, or others may be designated. IX. The Ordinary of Catanzaro shall have the same rights and responsibilities in the administration and governance of the Seminary as do other regional Ordinaries. X. The Seminary, together with the adjacent buildings and gardens, shall be exempt from the jurisdiction of the local parish by virtue of this Constitution; the Master of Ceremonies shall perform parochial duties, insofar as they are consistent with the nature of the Institute, under the authority of the Rector, to whom, within the boundaries of the Seminary, we attribute the rights, duties, and privileges of the Ordinary. XI. The right to choose the Rector shall belong entirely to the Roman Pontiff; the same shall designate the Master of Ceremonies and the Moderator of Studies. XII. The designation

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of others who shall assist the Rector, who shall teach in the schools, and who shall serve as physicians or surgeons, shall be the responsibility of the assembly of Bishops; however, we wish that the Rector's advice should precede the designation of these individuals (after obtaining the opinion of the three Prelates mentioned above), and that the vote of the Sacred Consistorial Congregation should be added. All of these things shall be observed whenever these individuals are to be dismissed. XIII. Professors of Theology, and the Presidents of the Seminary, shall have the faculty of conferring academic degrees upon deserving students, according to the regulations established by this Constitution for the greater Seminary of Apulia. XIV. The students shall be initiated into the sacred Orders in the Seminary Oratory.

[*Latin ed. p. 218*]

218 Acta Apostolicae Sedis - Official Commentary. The bishops, in their annual meetings, shall designate the one who will administer the Sacred Initiation in turn. However, the Rector must ensure that the necessary documents from the respective Curiae are presented by each candidate for initiation. These documents, along with the certificates of the conferred Orders, the Rector shall return to the aforementioned Curiae, after having reported them in the records for the purpose of the matter and for preservation in the Seminary's archives. XV. Regarding other matters, the laws which are to be observed in the governance and administration of seminaries, according to the common law of the Church, must be observed. It remains that all those who are admitted to the major Seminary in Catanzaro should strive to appreciate the magnitude of the benefits bestowed upon them by God, according to their merit; and that they should excel in piety, doctrine, and all other virtues, so that they may respond most fully to the expectations and desires of Ourself and of their Bishops. Finally, all that we have established, decreed, and ordered in these Letters, we wish to remain firm and valid by Our authority, and we command it so. Given in Rome, at the blessed St. Peter, in the year one thousand nine hundred and thirty-four, of the Incarnation of Our Lord, on the sacred day dedicated to the Virgin, Mother of God, in the eleventh year of Our Pontificate.

A. CARD. AGLIARDI

C. CARD. DELAI

S. R. E.
Cancellarius.
S. C. Concistorialis Secretarius.
In the place of Lead, M. 590

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Reg. m Conc. Ap.
N. RIGGI C. A., Not.

[*Latin ed. p. 219*]

ACTA PII PP. X 219. MOTU PROPRIO CONCERNING THE SUBURBAN DIOCESES. PIUS PP. X. Published by Us on the fifteenth of April in the year 1910. By Apostolic Constitution of the Roman Pontiffs, so that it may be brought to effect, after consultation with the Cardinals who reside in the Curia, and with their great consent, We, by the fullness of Our apostolic power, by Motu Proprio, decree the following: All and whatsoever goods belonging to the six Suburbicarian Churches shall henceforth be collected into a single fund and administered by the Office of Economic Affairs, which is located at the Sacred Congregation for the Propagation of the Faith, called the "Office of Spoliis": and an accounting of this administration shall be rendered annually to that Cardinal Bishop whom the Cardinals shall have designated as their procurator. The annual revenues from these goods shall be distributed to the Cardinal Bishops in such a manner that each shall receive ten thousand Italian lire, which shall be given to their respective suffragan; and whatever remains after that amount is deducted shall be divided into seven parts, of which the Dean of the Cardinals shall have two, and the others one each: in order that they may be able to provide for the needs of their Episcopal Curias. Furthermore, in order to prevent the inconveniences and damages that frequent changes of seat are wont to cause, let it be established and fixed that what We have decreed above shall be observed, namely, that whichever Cardinal Bishop is appointed to a See, he shall remain in that See even when he attains the rank of Dean; at that time, he shall add the diocese of Ostia to his own. Therefore, since the diocese of Velletri is permanently united with Ostia, and since it will also be joined with another diocese in the person of the Dean of the Cardinals, the following shall be the Suburbicarian Sees: Portuensis and Santa Rufina, Albano Laziale, Praenestina, Sabina, Tusculana, and Velletri.

[*Latin ed. p. 220*]

220 Acta Apostolicae Sedis. – The Cardinals and Bishops must each provide their respective suffragan bishops with an annual grant of six thousand livres, and must also assign a portion of the episcopal residence for them to dwell in. Furthermore, those suffragan bishops who have undertaken the administration of the Suburbicarian diocese must continuously and perpetually reside there. Therefore, we decree and establish that all things which have been determined and sanctioned by these letters are valid and shall remain so in all places, and we command that they be inviolably observed by all to whom they pertain, notwithstanding any contrary provisions, even those of particular significance. Given at Rome, near St. Peter, on the fifth day of the month of May, in the eleventh year of Our

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Pontificate. PIUS PP. X. APOSTOLIC LETTER GRANTING A PLENARY AND PARTIAL INDULGENCE ON THE OCCASION OF THE CENTENNIAL ANNIVERSARY OF THE RESTORATION OF THE SOCIETY OF JESUS. PIUS PP. X. To all the faithful, health and the apostolic blessing. – Our beloved son, Francis Xavier Wernz, the General Superior of the Society of Jesus, has informed Us that, on the seventh day of the coming month of August, the one hundredth anniversary will be celebrated since the Society was happily restored, by the authority and grace of the Apostolic See, through the Constitution "Sollicitudo omnium ecclesiarum," signed by Our predecessor, Pope Pius VII of blessed memory. To commemorate this auspicious event, the same General Superior adds that, for three days, namely on the fourth, fifth, and sixth days, and also on the seventh day of the month of August of this year, solemn prayers of thanksgiving will be offered in all churches and in public or semi-public oratories belonging to the aforementioned Society throughout the world. In order that these prayers may be performed with greater spiritual benefit, the General Superior humbly requests that We grant to the faithful of the Society [an indulgence].

[*Latin ed. p. 221*]

By the grace of God, Pope Pius X. desiring to honor the temples and chapels of the Society of Jesus, which will be held on the aforementioned days this year, and wishing to bestow certain special graces from the treasure of the Church, which has been divinely entrusted to Us, We deem it fitting, as Our predecessor, Pope Gregory XVI, of blessed memory, did in the year 1840, when the secular anniversary was celebrated by that same Society. We, readily and with good will, approving of these pious intentions, in order to signify the sentiments of Our benevolent mind towards the Society, which has so deservedly earned the esteem of the Church of God with so many names, having heard the Most Reverend Fathers and Lords, Cardinals, Inquisitors General, and confident in the mercy of Almighty God and in the authority of the blessed Apostles Peter and Paul, We grant, with full and free remission, to all and each of the members of that Society, both religious and laity of both sexes, who, on any of those four days of August, having confessed their sins and having received the sacraments, visit any church of that Society, or any public or semi-public chapel of the same Society, and there, giving thanks to God, offer devout prayers for the concord of Christian princes, the extirpation of heresies, the conversion of sinners, and the exaltation of the Holy Mother Church, a plenary indulgence for all their sins. Furthermore, We grant to those religious and laity who, at least with a contrite heart, offer prayers and give thanks to God, as above mentioned, in any of those churches or chapels, an indulgence of seven years and seven quarantines, all at once, on each of those four days. Finally, We permit the same religious and laity to use these plenary

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and partial indulgences to expiate the temporal penalties and punishments of their sins. Notwithstanding any contrary provisions. This grant is valid only for the present year. We decree that the same faith be given to these present letters, or to printed copies thereof, as if they were the original documents, provided they are signed by the hand of a public notary, or are sealed with the seal of a person holding an ecclesiastical office. Given at Rome, near St. Peter, under the Fisherman's Ring, on the twenty-third day of January, in the eleventh year of Our Pontificate.

R. CARD. MERRY DEL VAL, Secretary of State.

[*Latin ed. p. 222*]

Acta Apostolicae Sedis - Official Commentary II TO THE VENERABLE BROTHERS, VICTOR MIHALYI DE APSIA, ARCHBISHOP OF FOGARAS, AND OF ALBA IULIA, AND TO THE SUFFRAGAN BISHOPS OF THE ECCLESIASTICAL PROVINCE OF THE GREEK-RUMAN RITE, CONCERNING THE ERECTION OF THE CHURCH OF THE MOST HOLY SAVIOR IN THE VILLAGE OF "DELLE COPPELLE" FOR THE RUMAN EPISCOPATE. PIUS PP. X. Venerable Brothers, greetings and the apostolic blessing. — On behalf of all the bishops of Romania, the venerable brother Basilius Hossu, Bishop of Armenopolis, or Szamos-Ujvar, of the Romanians, took care last year to transmit to Us a petition, so that We might deign, through Our benevolence, to establish a church with a small adjoining house in Rome, for the use of a procurator who would, with Us and this Holy Apostolic See, conduct the affairs of his own rite and of his own ecclesiastical province of the Romanians. We, after having heard the Most Reverend Fathers, Cardinals of the Congregation for the Propagation of the Faith, who are responsible for the affairs of the Oriental Rites, and moved by their votes, entrusted this matter to Our beloved son, the Cardinal Vicar General in spiritual matters, in this city, granting willingly the wishes of the Romanian episcopate, because it is plainly apparent to Us and has been explored by the prelates, that the faith, the observance, and the desire to promote the Catholic name of the Greek-Ruman rite are flourishing. We do not ignore that in the ecclesiastical province of Romania, established in the year 1753, the Catholic cause has so greatly strengthened itself, that at the present time, within a brief period of sixty years, the number of Catholics has more than tripled. Furthermore, We have ordered that more Romanians be received as students in the Urban College, in order that We might foster the hope of that people in that same Church, and We have taken care of this with joy, so that their number might be increased. Indeed, when the College of Parish Priests of the city judged that the church of the Most Holy Savior in the village commonly called "delle Coppelle," to which the aforementioned parish priests ministered, should be entrusted to Our hands, so that We might grant it, along with the adjoining small house, to the Romanian Catholics, as We deemed fitting, We, praising most

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highly the generosity and obedience of those parish priests, and signifying Our sentiments of gratitude to the entire most worthy College, accepted this generous offering willingly. This offering not only corresponds to Our will, but also gives certain hope.

[*Latin ed. p. 223*]

The acts of Pope Pius X foretell that the splendor of religion and divine worship will progress in this venerable city. It is fitting that more temples be opened in this center of the Catholic world, in which sacred ceremonies be celebrated according to various rites, so that from this very diversity of rites, the unity of the faith may shine forth clearly. Therefore, with all due authority, and with certain knowledge and mature deliberation, and by the fullness of Our apostolic authority, We hereby, in the present, and forever, grant to the Romanian Catholic Episcopate of the ecclesiastical province of Fogaras and Alba Iulia, the church of the Most Holy Savior, located at "delle Coppelle" in Rome, together with the adjacent property, and We grant to that Episcopate full and free possession of both the church and the property. We decree that these present letters shall always remain firm, valid, and efficacious, and shall have and obtain their full and complete effect; and We fully support the aforementioned Romanian Catholic Episcopate now and in the future; and it shall be rightly judged and defined, and shall be declared invalid and void, if anyone, by any authority whatsoever, knowingly or unknowingly, should attempt to interfere with these matters. Notwithstanding Our regulations and those of the Apostolic Chancery regarding matters of law, and other ecclesiastical constitutions and apostolic ordinances, and all other contrary things whatsoever. Given in Rome, at St. Peter's, under the Fisherman's Ring, on the thirty-first day of March, in the year 1914, in the eleventh year of Our pontificate. R. CARD. MERRY DEL VAL L., Secretary of State. III. ERECTION OF THE NEW APOSTOLIC DELEGATION FOR AUSTRALIA. PIUS PP. X. For the sake of posterity. — From the sublime chair of the princes of the Apostles, although We are placed there not by Our own merits, but by divine grace, and as We turn the eyes of Our mind to all parts of the Catholic world, even those separated from this center of Christianity by a vast expanse of land and sea, We consider what is best for the administration of sacred affairs.

[*Latin ed. p. 224*]

The Acts of the Apostolic See endeavor, with diligent study, to guide the conduct of affairs, and We strive, with Our authority interposed, to accomplish this sufficiently. Indeed, considering the widespread diffusion of the Christian name throughout the islands of Australasia, and especially the firmly established Catholic hierarchy among the peoples of Australia, We deemed it fitting to bind those distant peoples and their sacred pastors more closely to this Roman Apostolic See. And in order that this concern

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might be more clearly apparent to those Catholic peoples, and that those peoples might more fully perceive the benefits of Our affection, We have decided to establish a new Apostolic Delegation in those regions, as has already been customary in other places for the honor and protection of the Christian religion. Therefore, after consultations with the Most Reverend Fathers, Cardinals, Prefects of the Congregation for the Propagation of the Faith, by Our Motu Proprio, based on certain knowledge and mature deliberation, and by the fullness of Our apostolic power, We erect and establish the Apostolic Delegation for Australia, decreeing that this Delegation shall extend its care to Australia, Tasmania, and New Zealand, notwithstanding any constitutions and ordinances apostolic or other regulations. Given at Rome, at St. Peter's, under the Fisherman's Ring, on the fifteenth day of April, in the year 1934, in the eleventh year of Our Pontificate. R. CARD. MERRY DEL VAL, L. £J3 S. a Secretis Status. LETTERS TO THE MOST REVEREND FATHER NATAL SERAFINO, BISHOP OF BUELLA, ON THE OCCASION OF THE EUCHARISTIC CONGRESS CELEBRATED IN BUELLA. Venerable Brother, greetings and apostolic [benediction. — Our spirit joins with yours in anticipation of the Eucharistic gathering which you are about to convene in Bugella, drawn by the hope of the common fruits that are expected by us and by you. In this most industrious region, where the inhabitants are so inclined to pursue the goods of this life that they almost forget the eternal, the Eucharistic celebrations which you have so wisely planned are a source of great joy, so that, through the words of chosen speakers—

[*Latin ed. p. 225*]

The acts of the Holy Pontiffs, and the more splendid ceremonies of the most august rites, draw even the slower to that heavenly banquet, in which, as the Church so often sings, the soul is filled with grace, and a pledge of future glory is given to us. May this assembly from Bugellensis so convert the hearts of all, that a happy beginning may finally be made in restoring these Christian lands! We earnestly desire this; we implore it from God with fervent prayer, also invoking the help of the Virgin Mother of God, under whose auspices this gathering is held, who, we trust, will look favorably upon your efforts and bring them to the desired outcome. In the meantime, may the divine blessings, and the witness of Our benevolence, be the pledge of future graces, which We impart to you, venerable Brother, and to all those who have contributed to the preparations for this gathering, and to all who participate in it, in the Lord. Given in Rome, at St. Peter's, on the twenty-fifth of March, in the year 1914, in the eleventh year of Our Pontificate.

PIUS PP. X

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TO THE REVEREND FATHER JOSEPH NÉMETH, BISHOP TITULAR OF ISAUREA, AUXILIARY BISHOP OF CSANÁD, CELEBRATING THE FORTIETH ANNIVERSARY OF HIS EPISCOPAL ORDINATION AND THE SIXTIETH ANNIVERSARY OF HIS PRIESTHOOD.

Venerable Brother, greetings and the Apostolic Blessing.

It has come to Our attention that solemn ceremonies are being prepared for you, through the concerted effort and will of the citizens, on the occasion of the fortieth anniversary of your episcopal consecration and the sixtieth anniversary of your priesthood, and We know well how you have conducted your life with integrity, and with what diligence you have fulfilled the duties entrusted to you. It is fitting that a soldier of Christ should be honored with such studies, and that he should receive the rewards of his labors. But greater rewards are to be expected by you from Him to whom you have devoted so long and so fruitful a priesthood. May these blessings abound and bring you holy joys; we offer our heartfelt wishes, and may the Apostolic Blessing, a witness of the benevolence with which We regard you, be imparted to you, venerable Brother, in the Lord.

Given in Rome, at St. Peter's, on the tenth of April, in the year 1914, in the eleventh year of Our Pontificate.

PIUS PP. X

[*Latin ed. p. 226*]

226 Acta Apostolicae Sedis. - Official Commentary. SUPREME SACRED CONGREGATION OF THE HOLY OFFICE. DECREE: The priest Caesarius Vachère, of the diocese of Poitiers, is excommunicated by name. Thursday, April 22, 1914. The priest Caesarius Vachère, from the diocese of Poitiers in France, who, through alleged supernatural manifestations, disturbed the minds of the simple, was repeatedly called upon by his own bishop and by this Supreme Sacred Congregation of the Holy Office, whose duty it is to safeguard the integrity of faith and morals, to change his course. For, he dared to present to the veneration of the faithful, with reckless audacity, a certain image of the Most Sacred Heart of Jesus and certain hosts, which he claimed to have consecrated, appearing as if they were flowing with blood; the Most Reverend Bishop of Poitiers, first with paternal admonitions, and then with serious threats of penalties, including incurring the suspension from divine service, attempted to deter him from this course. All of this was not only confirmed by this Supreme Sacred Congregation, but also a formal precept was added, that he should deliver the image and the hosts, and everything else pertaining in any way to such alleged supernatural manifestations, without delay, to his proper Ordinary, under the threat that, if he failed to do so, further proceedings would be taken. But the unfortunate priest, completely forgetting his duty, although he had initially

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shown some obedience to the mandates of the Sacred Congregation; he began again, especially in a certain crypt not far from the town of Mirebeau, to expose another image and other hosts, to the admiration of the faithful, as before, despite the futile objections of his legitimate Superior; and, meanwhile, several things, most injurious to ecclesiastical authority, were disseminated, either by himself or by others. This Sacred Congregation, grieved in spirit but still hoping that he would return to proper obedience, decreed, according to the sacred canons, a threefold solemn warning to him, and ordered that he be excommunicated by name; but alas, even this extreme remedy did not subdue his obstinacy.

[*Latin ed. p. 227*]

The Most Holy Congregation of the Holy Office. Seeing that, given these circumstances, the peremptory term of the canonical admonition has long since passed fruitlessly, this same Most Holy Congregation of the Holy Office, lest it seem to fail in its duty, and without detriment to the faith and ecclesiastical discipline, at the express mandate of the Most Holy Father, Pope Pius X, pronounces a formal sentence of excommunication, specifically and personally, against the aforementioned priest, Caesar Vachère, who has been stubbornly contumacious, and solemnly declares him to be subject to all the penalties prescribed by law, and therefore to be avoided and shunned by all. Given in Rome, from the offices of the Holy Office, on the day, month, and year aforesaid. L. © S. Aloysius Castellano, Secretary of the Sacred Congregation.

I. PROVISIONS FOR CHURCHES. By successive decrees of the Sacred Consistorial Congregation, the Most Holy Father, Pope Pius X, has provided for the following churches with their proper pastors, namely:

April 3, 1914. — To the cathedral church of Saint Augustine, he appointed the Reverend Michael Joseph Curley, pastor of the place commonly called Deland in the same diocese.

April 8. — To the metropolitan church of Guatimalensis, he appointed the Reverend Julian Raymond Riveiro and Jacinto, Reverend Fathers of the Order of Preachers, as rector of the church of Saint Dominic in the city of Guatimalensis.

April 15. — To the metropolitan church of Arborensi, he appointed the Reverend Father Ernest Piovella, formerly Bishop of Algarense.

— To the cathedral churches of Fabrianensi and Mathelicensi, he appointed the Reverend Andrew Cassulo, the general vicar of the Florentine archdiocese, and there, a canon of the metropolitan church.

[*Latin ed. p. 228*]

228 Acta Apostolicae Sedis - Official Commentary, April 16, 1914. — To the Reverend Father Frederick Benitium de Souza Costa, until now Bishop of Amazonum, the titular bishopric of Tubunensis was assigned. April 27.

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— To the Reverend Father Theodorus Kappenberg, canon of the cathedral church of Monasteriensis, who was appointed as an Auxiliary Bishop to the Most Reverend Bishop of Monasteriensis, the titular bishopric of Sozopolitana was assigned. May 1. — To the Reverend Father Petrus Iosephum Lausberg, canon of the metropolitan church of Coloniensis, who was appointed as an Auxiliary Bishop to the Most Reverend Archbishop of Coloniensis, the titular bishopric of Thyatirensi was assigned.

II. CONSTITUTION OF THE CATHEDRAL CHAPTER. His Holiness Pope Pius X, by decree of the Sacred Congregation of the Consistory of April 26, 1914, instituted a new order in the Fesulan cathedral chapter: namely, with the dignity of the Prelate existing in the third degree, two new dignities were also established, namely, the Archdeaconate as the first dignity, and the Primiceriat as the second dignity. Furthermore, the choral vestments, which the canons had used according to the apostolic brief "Hoc est in more" of February 21, 1894, were extended to the newly established dignities, with the special vestments and garments for wearing in the choir being granted to the canonical Prelate by the same brief.

[*Latin ed. p. 229*]

Most Holy Congregation of Religious.

MOST HOLY CONGREGATION OF RELIGIOUS

DECREE CONCERNING THE COMPLETION AND INTERRUPTION OF THE NOVICE YEAR.

Since questions have been raised concerning the time or moment at which the year of the novitiate should be considered complete, and also concerning the manner in which it can be considered interrupted, especially if the novice has been absent from the house for some time with the permission of the Superiors, the Most Holy Congregation of Religious, in order to prevent anxieties, particularly concerning the validity of the profession, has decided and decreed as follows:

1. The complete year of the novitiate, which alone is required for the validity of the profession, must henceforth be understood not strictly from hour to hour, but from day to day. The same is to be said concerning the three complete years of simple vows, which must precede the taking of solemn vows.

2. The novitiate is interrupted in such a way that it must be recommenced and completed anew:

a) if the novice is dismissed by the Superior and leaves the house;

b) if, without the permission of the Superior, the novice leaves the house;

c) if, even with the permission of the Superior, the novice remains out-

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side the enclosure for more than thirty days.

3. If the novice remains outside the enclosure for less than thirty days, even if not continuously, with the permission of the Superiors, it is required for the validity of the novitiate, and it is sufficient to complete the days in this manner; but the Superiors should not grant this permission except for a just and serious reason.

All of the above having been presented to our most holy Lord Pope Pius X by the undersigned Secretary of the Sacred Congregation, His Holiness has deigned to approve and confirm them, notwithstanding any contrary provisions.

Given at Rome, from the Secretariat of the Sacred Congregation of Religious, on the 3rd of May, 1914.

O. CARD. CAGIANO DE AZEVEDO, Prefect.

f Donatus, Archbishop.

Ephesinus, Secretary.

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[*Latin ed. p. 230*]

Acts of the Apostolic See. - Official Commentary 230 II, PARIS. CONCERNING THOSE ADMITTED TO THE NOVICE PERIOD WHO ARE DRAFTED FOR MILITARY SERVICE. The General Procurator of the Congregation of the Sacred Missions requested a solution to these questions from the Holy Congregation for Religious, namely: I. Whether the novitiate of those who are compelled to leave the house of probation due to military service, or who are called to military service again, should be considered interrupted, so that it must be repeated from the beginning, without regard for the time of the novitiate already completed; or whether it should be considered merely suspended, so that it need only be completed. II. Whether the time of military service completed by a novice can be counted as part of the novitiate, if the novices remain under the discipline and vigilance of the superiors, and spend the subsequent hours in the same house of probation, and perform all that is compatible with military service. The Most Eminent and Reverend Fathers Cardinals of this Holy Congregation for Religious, having carefully considered all matters, judged that the following should be answered: To 1. Affirmative to the first part; Negative to the second, if the novice has been engaged in military service for more than thirty days. If it is for less than thirty days, they will be supplemented. And in any case, they cannot be admitted to the profession of vows unless they have been tested for at least thirty days. To 2. Negative. These answers, having been reported to the Most Holy Pope Pius X, His Holiness deigned to approve and confirm them. Notwithstanding anything to the contrary. Given in Rome, from the Secretariat of the Holy Congregation for Religious, on the

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3rd of May, 1914.

[Signature] O. CARD. CAGIANO DE AZEVEDO, Prefect.

L.S. f Donatus, Archbishop, Ephesinus, Secretary.

[*Latin ed. p. 231*]

The Congregation of Religious 231 III. SUESSONIAN and others, concerning those sent by religious members to celebrate the Divine Office according to the intentions of their Superiors.

The following questions were posed to the Sacred Congregation of Religious:

I. Does the act of celebrating the Divine Office according to the intention prescribed by a Superior constitute a proper internal act, which is in no way subject to the will of the Superiors?

II. Is a religious, by virtue of his simple vows, bound by justice, or only by charity, to celebrate the Divine Office according to the intention prescribed by the Superior, reserving for himself the faculty of celebrating according to his own intention, within the limits permitted by the Constitutions?

III. Can Superiors obligate their subordinate members in virtue of holy obedience to celebrate according to the prescriptions of the Constitutions?

The Cardinals of the Sacred Congregation of Religious, in a plenary session held at the Vatican on March 21, 1914, answered the aforementioned questions as follows:

To questions 1 and 2: This will be provided for in the third question.

To question 3: After the question was reformulated as follows: "Can Religious Superiors command their subordinates, even in virtue of holy obedience, to celebrate according to the intention prescribed by the Constitutions or established by themselves, except for exceptions sanctioned by the Constitutions or by legitimate custom?"

The answer was: Affirmative.

The Most Holy Pope Pius X, with the reference of the undersigned Secretary of the Sacred Congregation, approved and confirmed this response on March 23, 1914.

Given at Rome, from the Secretariat of the Sacred Congregation of Religious, on May 3, 1914.

[Signature] O. CARD. CAGIANO DE AZEVEDO, Prefect.

[Signature] L. S. f Donatus, Archbishop, Ephesinus, Secretary.

[*Latin ed. p. 232*]

Acts of the Apostolic See - Official Commentary IV, concerning the institution of Confession among Eastern priests, and concerning the Confession of novices. Following the Decree concerning the granting of sacramental absolution to religious members, issued on August 5, 1913, certain doubts

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arose, which were brought to the attention of the Sacred Congregation for Religious, namely: 1. Does the Decree of the Sacred Congregation for Religious, issued on August 5, 1913, also include confessions made by religious of the Latin Rite with Eastern Rite confessors, and vice versa? 2. Does the same Decree also include novices of any Order or Congregation? The Most Reverend Fathers Cardinals, in a plenary session held in the Vatican buildings on March 21, 1914, responded as follows: To question 1 and to question 2: Affirmative. And the Most Holy Pope Pius X, in an audience held on the 23rd of the same month and year, with the undersigned Secretary of the Sacred Congregation, deigned to approve and confirm the responses of the aforementioned Fathers. Notwithstanding any objections to the contrary. Given in Rome, from the Secretariat of the Sacred Congregation for Religious, on May 3, 1914.

[Signature] O. CARD. CAGIANO DE AZEVEDO, Prefect.

[Signature] Donatus, Archbishop, Ephesinus, Secretary.

[*Latin ed. p. 233*]

The Holy Congregation for the Propagation of the Faith DECREES THE ERECTION OF THE APOSTOLIC PREFECTURE OF GIBUTI IN FRENCH SOMALILAND.

That the mission among the Somalis, established on native soil, on the maritime shores of British Somaliland, which, about twenty years ago, had arisen there, might not, after being long vexed by adverse circumstances, wander aimlessly and take root nowhere, the Fathers of this Holy Congregation for the Propagation of the Faith, having considered the matter carefully, resolved to assign a suitable territory anew to said mission. Therefore, after mature deliberation, in plenary sessions held on the 30th of last month, they decided that the aforementioned mission, which is received within the territory of French Somaliland, should remain there as its proper seat, and be erected into a separate Apostolic Prefecture, encompassing the entire territory which is contained within said territory of French Somaliland, and which is presently detached from the Apostolic Vicariate among the Galla people, by the present Decree. Furthermore, they judged that this new Prefecture should be named after Gibuti, the principal city of the region, and be entrusted to the Brothers of the Order of Friars Minor Capuchin. This decision, reported to His Holiness by the undersigned Secretary of the same Holy Congregation, in an audience on the 27th of the current month, was approved in its entirety and deemed valid by His Holiness, who ordered the present Decree to be drawn up accordingly.

Given at Rome, from the offices of the Holy Congregation for the Propagation of the Faith, on the 28th of April, in the year of Our Lord 1914.

Fr. H.> M. CARD. GOTTI, Prefect.

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L. © S. C. Laurenti, Secretary.

[*Latin ed. p. 234*]

234 Acta Apostolicae Sedis - Official Commentary II

DECREE CONCERNING THE ERECTION OF THE APOSTOLIC PREFECTURE OF ADAMAWA IN CENTRAL AFRICA, WITHIN THE TERRITORY OF GERMANY.

That matters pertaining to the advancement of the sacred cause may be more suitably promoted, and that the increase of the Catholic name may be fostered, the Most Reverend Fathers of this Sacred Congregation for the Propagation of the Faith, considering these things, have decided that a new Apostolic Prefecture should be established in the region of Adamawa, within the territory of Germany, in equatorial Africa, where the Society of Priests of the Most Sacred Heart has recently begun its apostolic ministry with great success.

Since the aforementioned region is subject to various ecclesiastical jurisdictions, so that it is partly under the jurisdiction of the Apostolic Vicar of Khartoum, partly under the jurisdiction of the Apostolic Prefect of Ubangi-Chari, and partly under the jurisdiction of the Apostolic Vicar of Cameroon, the aforementioned Most Reverend Fathers, in plenary sessions held on the 30th of last month, decided that the territory of the Adamawa region should be separated from these three missions and erected into an independent Apostolic Prefecture, to which the name Adamawa shall be given, which shall remain entrusted to the aforementioned religious society, and shall be defined by the following boundaries: to the North, by the 10th degree of latitude north; to the East, by the boundary between the German and French colonies, from the aforementioned degree of latitude to the 7th; to the South, by the 7th degree, and then by the line that separates the civil districts of Ngaundere, Banjo, Bamum, Bamenda, and Ossidinge (which are assigned to the Adamawa mission by the present decree) from the districts of Ober-Sanga-Üham, Dume, Jaunde, Jabassi, Dshang, Johann Albrechtshöe, and Bio del Bey (which remain subject to the Apostolic Vicariate of Cameroon); and finally, to the West, by the Anglo-German boundary.

This decision, having been reported to His Holiness Pope Pius X, of blessed memory, by the undersigned Secretary of the same Sacred Congregation, in an audience on the 27th of the current month, His Holiness was pleased to approve it in every respect and to deem it valid, and has ordered that the present Decree be issued concerning this matter.

Given at Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the 28th of April, in the year of Our Lord 1914.

Fr. H. M. CARD. GOTTI, Prefect.

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L. C. Laurenti, Secretary.

[*Latin ed. p. 235*]

The Holy Congregation of Propaganda Fide, 235, III, NOMINATIONS: By brief apostolic letters, the following were named: March 17, 1914. — The Archbishop, titular of the church of Diocletia, Reverend Father Henry Doulcet, Bishop titular of Lonopolis. April 15, 1914. — The Archbishop, titular of Philippopolis, and Apostolic Delegate in Australia, Reverend Father Bonaventura Gerretti, chamberlain of the highest rank of His Holiness, auditor at the Apostolic Delegation in Washington. By decrees of the Holy Congregation of Propaganda Fide, the following were named: April 29, 1914. — The Apostolic Prefect of the new Prefecture of Djibouti in French Somalia, Reverend Father Paschalis de Luchon, of the Order of the Friars Minor Capuchin. — The Apostolic Prefect of the new Prefecture of Adamaua in central Africa, Reverend Father Francis Lennartz, of the Congregation of the Priests of the Most Sacred Heart.

THE HOLY CONGREGATION OF RITES: DECLARATION CONCERNING SAINTS OR BLESSED PERSONS WHOSE CULT IS HONORED SOMEWHERE PUBLICLY, WITHOUT A CERTAIN DECREE OR INDULGENCE FROM THE HOLY SEE.

In the perpetual and proper calendars, which, according to the most recent rubrics, in conformity with the Bull *Divino afflatu* and the Motu Proprio issued two years ago by Our Most Holy Father Pope Pius X, and the Decrees of the Holy Roman Church of December 12, 1912, and October 28, 1913, are subjected to the revision and approval of this very Holy Congregation, sometimes Saints or Blesseds are noted who are neither described in the Roman Martyrology, nor are they publicly venerated by...

[*Latin ed. p. 236*]

236 Acta Apostolicae Sedis – Official Commentary. Certain acts of the Apostolic See, whether by decree or confirmation, possess validity, as is specifically prescribed by the general Decree No. 3926 of July 19, 1896, sections 1 and 2. However, when such Saints or Blesseds are publicly and religiously venerated with the Office and Mass in particular localities, according to immemorial custom; and, for this reason, are inscribed in the aforementioned Calendars and Proper Offices by the local Ordinaries, the Sacred Congregation of Rites, by mandate of the same Most Holy Lord, declares that it is in no way permissible to argue from this inscription that the Saints or Blesseds mentioned have obtained a formal beatification or an equivalent thereof, and that their cult, as in the case excepted by the decrees of Pope Urban VIII, and by more recent decrees or declarations of the S. R. C. dated November 11, 1912, and January 31, 1913, has been recognized and confirmed, but only that the cult of these Saints or Blesseds remains in the state of its established possession, and therefore, it cannot be

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increased or extended without the knowledge of the Holy See. Finally, the local Ordinaries are urged to distinguish these Saints or Blesseds in their particular Calendars and Proper Offices by some sign or asterisk from other Saints or Blesseds described in the Roman Martyrology or duly canonized or beatified, as is commendably done in some places. Contrary things notwithstanding, even those deserving of special mention. April 28, 1914. Fr. S. CARD. MARTINELLI, Prefect. Petrus La Fontaine, Bishop of Chrysal, Secretary.

[*Latin ed. p. 237*]

The Sacred Roman Rota, 237, in the Alexandrian jurisdiction and matter of patronage and presentation, under the blessed reign of Pope Pius X, in the eleventh year of His Pontificate, on the 12th of January, 1914, the Most Reverend Fathers Aloysius Sincero, Ponens, Joseph Mori, and Frederick Cattani, Auditors, in the Alexandrian cause concerning patronage and presentation, between the Lord Charles Buzzilanghi and the Lord Joseph Mignone, represented by the lawful procurator, Advocate Angel d'Alessandri, and the Lord Aristides Stortiglione, represented by the lawful procurator, Reverend Father Aloysius Lavitrano, Advocate, rendered the final judgment.

Whereas, on the 15th of March, 1911, the canonry under the title of the Blessed Virgin Mary of Consolation and Saint Stephen was vacant in the cathedral church of Alexandria, and the Lord Aristides Stortiglione, with the Reverend Pius Ratti, and the Lords Mignone and Buzzilanghi, with the Reverend Dominic Olivera, presented themselves for that same canonry. Therefore, a dispute arose concerning the right of patronage between the presenters, and the matter concerning the counsel of the Reverend Ordinary was referred to a certain commission, which proposed the following conclusions:

1) That the patronage had been, first, a familial and agnatic right, namely, limited to those descended in the male line only, as established by the Decretals of Ruffinus and Philip.

2) That, failing the first called, it passed to the others of the Stortiglione family, that is, to all agnates of the Stortiglione lineage, in the right of patronage, by agnatic lineage.

3) Now, moreover, since it is sufficiently established that the Lord Aristides Stortiglione possesses the right of patronage, and since no prescription is offered against him, and since the Lady Carola Buzzilanghi cannot be considered a co-patron, and since the right of patronage cannot extend to relatives, in view of the founding statutes.

[*Latin ed. p. 238*]

238 Acta Apostolicae Sedis - Official Commentary. The Lord Joseph Mignone appealed to the Sacred Congregation of the Council; and the

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cause, having been referred from the Most Holy [Apostolic] See to this Sacred Order, now comes before Us under the form of a doubt: Whether the right of patronage pertains to the Lords Mignone, and therefore whether the presentation of the priest Olivera made by them should be upheld; or rather, whether it pertains to Lord Aristide Stortiglione, and therefore whether the presentation, accepted by the Ordinary, of the priest Pius Ratti should be upheld. The facts are as follows. - The canonry concerning which the present question arises received its origin and foundation from the will of Lord Nicholas Stortiglione, dated September 25, 1746, which reads as follows: "Also... he instituted and appointed his executors and trustees, namely, Lord Philip Stortiglione and Lord Ruffum, his brother; and furthermore, the aforementioned testator, namely, Lord Philip and Lord Ruffum, his brothers, present and accepting [the appointment] there, and them and any of their descendants and descendants of descendants, ad infinitum, provided that they descend and proceed from the legitimate male line; and if they fail, may it be far from me, others of the kinship of the Stortiglione family, as above. And referring each matter to each, he chose, instituted, and appointed them as Patrons and for Patrons of said chapel or altar, with the honors and privileges granted to them by law, and that they may and can, in future times, choose, present, and institute a chaplain or chaplains to said chapel or altar; in which chaplains chosen, presented, and instituted, the testator wished and wills that there be a place for gratitude, and that always preference be given to a chaplain who is of said kinship, provided that he is suitable and sufficient." Now, as time progressed, the families of Lords Philip and Ruffum ceased to exist, and in 1767 the last, as was believed, male of the kinship, namely, Lord Jerome Stortiglione, died, and no knowledge was had of a male line that had existed since before the year 1605; therefore, women were admitted to the right of presentation. This, however, was not without exception. For the fiscal advocate before the Roman Curia declared in 1829 that "if others should survive from the said family of Stortiglione, although not descended from Ruffum and Philip, they would succeed to the patronage of the Lady of Mariana," and in 1850: "if a male should survive from the family of Stortiglione, this right would pertain to him, not to Mariana, because, in the absence of males first called, according to the foundation, it would pass to others of the Stortiglione family."

[*Latin ed. p. 239*]

On the twenty-third of Bota, the following matter was discussed: The will, according to the words of the testament, clearly indicates that the testator intended to establish two categories of beneficiaries for the patronage, and in the first place, he named D. Philip and D. Rufinus, and their descendants indefinitely, provided that they descended and proceeded through the legitimate male line, in which case the familial and agnatic patronage

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is established. Secondly, in the absence of those who were called in the first place, the testator appointed other relatives from Stortiglionis as beneficiaries, descending as mentioned above. The second matter under discussion concerns whether the established patronage is solely of the agnatic type, or whether it is of the gentile type, without any distinction based on the sex of the beneficiaries, so that even women are called to it. The latter opinion is to be rejected, as the words of the testament clearly demonstrate. For, while the testator calls others from the family of Stortiglionis in the second place, he does not call all descendants indiscriminately, but only those who descend according to the aforementioned manner, namely, through the legitimate male line. Therefore, even in the second category, women are excluded. This intention is further confirmed by the addition of the surname "Stortiglionis," which is commonly used to denote kinship, and by the clause added to the institution of passive patronage, concerning the preference given to a chaplain who was from that family. The appellant's counsel cites the authority of those doctors who, with Santi, III, XXXVIII, 10, hold that the patronage is both familial and agnatic, and that it can sometimes be understood to include all successors, or that, in the absence of a male line, women may be admitted as auxiliaries to the men. But this is only based on presumption: and in our case, as we have seen, the words are clear and do not admit of any interpretation or conjecture, as stated by Reiffenstuel, I, II, 384: this, only in the absence of a male line. However, in our case, this second question is entirely irrelevant: for D. Aristides Stortiglionis appeared, claiming to be a relative of the testator, or of the family of Stortiglionis, and to descend from it through the legitimate male line. Therefore, the central question, on which the entire case hinges, is whether D. Aristides Stortiglionis is a relative of the testator, or not. Indeed, from the authentic documents presented in the case, it is clearly evident that D. Aristides Stortiglionis descends through the legitimate male line from a certain Augustine Stortiglionis, son of John Albert, who, in the year 1605, in the month of September, on the twenty-eighth day, petitioned the magistrates of the municipality of Karlova.

[*Latin ed. p. 240*]

240 Acta Apostolicae Sedis - Official Commentary. To the Prior and those deputed to the governance of the city of Alexandria, regarding the faith and the insignia which the family of Stortiglionis of the same city customarily bore. We have a document of this matter drawn from the municipal archives of the city of Alexandria, which reads as follows: "Most Excellent Sirs, Mr. Agostino Stortillione, son of the late Mr. Giovanni Alberto, desires to have confirmed the faith [i.e., the right to bear arms] and the insignia which the family of Storteglioni of this city customarily bears, in accordance with the enclosed terms; therefore, the Most Excellent Sirs request that this faith be granted to him in accordance with the enclosed terms, and thus

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he hopes... ” 1605, July 28. ”City... The Prior and Deputed, having seen the aforementioned memorandum with the request for confirmation of the faith, and having been informed of the truth of the contents of said faith, which is attached hereto, have ordered that, in the name of the City, the aforementioned faith be granted to him, with the annotation or description of Parma therein, namely: ”To Agostino Storteglione.” ”Baptista Ottellus, General Secretary.” ”We attest that We, the Prior and Deputed to the governance of the City of Alexandria, and also We, the undersigned, of the noble family of Stortilionis of said City, as from time immemorial, have always held that the aforementioned family of Stortilionis has been admitted to the governance of said city, both in the number of Councilors... both in the number of the General Council, and of the Two Dozen Deputed for public provision... and that those of the family, as mentioned above, customarily bear the insignia and arms in the manner described below, namely: ”In the upper part, a field of celestial or turquoise color, representing a saw, as is commonly said, with five teeth, and in the lower part, a white field with four teeth, with a helmet, commonly called the *cimiero*, with a heron’s beak from the head to the chest, of white color, and with the inscription in these words: ’Non voce colitur.’ These insignia have always been used in public acts, in churches, in funerals, and in private homes, as other noble families of said City use their arms, and as can be seen from the following form and shields, namely: 0”

[*Latin ed. p. 241*]

The Roman Rota, 241: ”And furthermore, those who were and are of the same family are Augustine Stortiglione, and Albert, and succeeding him, John Albert, son of Augustine; now, and for many years past, residing in the parts of Pedemon[tanis], whose faith it is desired to have confirmed, and whose seals we order to be affixed with the impression that we use in similar matters, and through the undersigned notary and our Chancellor, we command it to be subscribed. Given in the aforementioned palace of the City of Alexandria, on the 28th day of the month of September, in the year of Our Lord 1605.”

Regarding this invoked document, a learned judgment was sought from three men of expertise, knowledge, prudence, and, above all, experience in this matter, namely, the Most Reverend Mariani Ugolino, Angel Malango, and Aemilius Ranuzzi, to whom these questions were proposed:

1. ”What historical value does the document of September 28, 1605, have in proving that Augustine Stortiglione, son of John Albert, belongs to the noble family Stortiglione of Alexandria, the founders of the endowment?”

2. ”Does it result from the documents in question that Captain Aristide Stortiglione belongs to the kinship of the noble family Stortiglione of Alexandria, the founders of the endowment?”

Furthermore, after examining the external form of the document, its

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internal notarial characteristics, and those things contained within the document, and after considering the solid arguments upon which this expert opinion is based, it must be stated with certainty:

1. "The document in question consists of three writings, namely, a private instance, a certain private information, and an information or attestation ex officio, that is, from a public official, and all of these are not from another example, but are the original examples themselves."

2. "All of these are endowed with historical value or authenticity. For, as the experts say, 'the document does not have the definitive form, which it will probably receive for legal purposes, to which it must adhere; however, the form it has received is sufficient to consider it as a testimony of a fact of a legal nature, compiled with a determined form, fit to give it the force of proof. And historical criticism concedes to these testimonies a value undoubtedly greater than any other of a similar kind.'"

3. "Regarding what is narrated in this document, it is certain that certain members of the noble family of Alexandria (of that city) of the Stortiglione family, and those who were before them and appointed by the city, have testified that from time immemorial, a noble family of the Stortiglione family has existed in Alexandria."

[*Latin ed. p. 242*]

242 Acta Apostolicae Sedis. - The official record indicates that it enjoys the use of hereditary titles, and that Augustine Stortiglione, formerly the son of Albert, belonged to the same family. Since there has been no other noble family of the Stortiglione name in Alexandria other than that to which the founder of the benefice belonged; and since, from the documents presented in the case, it is certain that Lord Aristides Stortiglione descends from the aforementioned Augustine Stortiglione through the legitimate male line, it must undoubtedly be concluded that Lord Aristides Stortiglione is related to Nicholas Stortiglione, and that he descends through the line and in the manner expressly stated in the will, namely through the legitimate male line, or at least belongs to the second order of those called to the right of patronage. This is further confirmed by other documents presented in the case: from these, it is proven, as other experts demonstrate with solid arguments, that the founder of the benefice belonged to the noble Alexandrian family of the Stortigliones, that this family existed in the year 1605, and that Augustine, from whom Aristides Stortiglione descends, belonged to it. Regarding the argument presented in favor of Lord Mignone, concerning the last state or quasi-possession and prescription, it is sufficient to note that, in hereditary patronage, each of those called has a proper and personal right, not borrowed from their ancestors, and therefore, by their own right, and according to the will of the founder, they vindicate both the active and passive aspects of the patronage for themselves, *De Luca, de iure patronatus, disp. 31, n. 16,

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disp. 35, n. 7, 8, S. Rota, decis. 220, n. 26, p. 11*. Furthermore, the authorities cited by the Patron, Lord Mignone, are not relevant: they concern the right of patronage in general, and not the hereditary right of patronage, which is governed by the norms of the faithful, and in which, therefore, prescription does not apply, *De Luca, cit. disp. 35, n. 7*. Having carefully considered all of the above, invoking the name of Christ, and with God alone before our eyes, We, the undersigned Auditors sitting for the tribunal, concerning the matter in question, declare, pronounce, and definitively sentence that the right of patronage in this case does not belong to the Lords Mignone, and therefore, the presentation of the priest Olivera made by them cannot be upheld, but belongs to Lord Aristides Stortiglione, and therefore, the presentation made by him, and the acceptance of the priest Pio Ratti by the Ordinary, must be upheld; or, responding to the question posed, we answer: negatively to the first part, affirmatively to the second part, and furthermore, we order that the expenses be borne by the parties, and that the fees paid to the experts be paid equally by both parties. Thus we pronounce, ordering the Ordinaries of the places and the officials to do likewise.

[*Latin ed. p. 243*]

The Sacred Roman Rota, consisting of 243 judges, decrees that it is incumbent upon them to order the execution of this sentence and to proceed against those who resist, according to the norms of the sacred Canons, and especially chapter 3, session XX, concerning reforms, of the Council of Trent, employing those executive and coercive means which may prove more efficacious and suitable for the circumstances. Rome, on the 14th of January, 1914. Aloysius Sincero, President. Joseph Mori. Frederick Cattani. From the Chancery, on the 13th of February, 1914. Reverend Father T. Tani, Notary. Note: An appeal has been lodged against this sentence. In the Sacred Congregation of Holy Matrimony, during the months of January, February, and March of this year, 1914, the following causes were heard under seal, and the definitive sentence is published only in the dispositive part: I. NULLITY OF MARRIAGE, based on the grounds of lack of consent on the part of the woman. The question proposed was: Whether the nullity of the marriage can be established in this case. The Reverend Fathers, Doctors, Aloysius Many, President, Frederick Heiner, and Joseph Prior, Auditors ad turno, on the 22nd of January, judged that the answer should be: Negative. An appeal has been lodged against this sentence. II. NULLITY OF MARRIAGE, based on the grounds of an unfulfilled condition and simulated consent. The question proposed was: Whether the nullity of the marriage can be established in this case. The Reverend Fathers, Doctors, Joseph Mori, President, Frederick Cattani, and Aloysius Perathoner, Auditors ad turno, on the 28th of January, judged that the answer should be: Affirmative. An appeal has been lodged against this sentence. III. NULLITY

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OF MARRIAGE, based on the grounds of a condition imposed contrary to the essential goods of marriage. The question proposed was: Whether the nullity of the marriage can be established in this case. The Reverend Fathers, Doctors, Gregory Sebastiani, President, Aloysius Many, and Frederick Heiner, Auditors ad turno, on the 7th of February, judged that the answer should be: Affirmative.

[*Latin ed. p. 244*]

244 Acta Apostolicae Sedis - Official Commentary I V. DEFAMATION. Regarding a doubtful case: Whether the Royal Sentence of December 10, 1912, should be confirmed or rejected, the Reverend Fathers, Monsignors I. Mori, Ponens, F. Cattani, and A. Perathoner, Auditors at Tournon, on February 21, decided to respond: The Royal Sentence should be confirmed. V. NULLITY OF MARRIAGE based on the defect of consent. Regarding a doubtful case: Whether the marriage is established as null, the Reverend Fathers, Monsignors I. Prior, Ponens, A. Sincero, and I. Mori, Auditors at Tournon, on March 2, decided to respond: Negatively. V I. PIOUS FOUNDATION. Regarding a doubtful case: Whether the goods which came to Titius, a priest, through an act on the day of the Chapter of the Collegiate Church, should be assigned to the Collegiate Chapter, the Reverend Fathers, Monsignors G. Sebastianelli, Ponens, S. Many, and F. Heiner, Auditors at Tournon, on March 2, decided to respond: Affirmatively, that is, the goods which came to Titius, a priest, through an act on the day of the Chapter, should be assigned to the Collegiate Chapter, "with all the fruits which have been received or could have been received from the day..." An appeal was interposed against the sentence. V V I. NULLITY OF MARRIAGE based on the defect of consent on the part of the husband. Regarding a doubtful case: Whether the marriage is established as null, the Reverend Fathers, Monsignors G. Sebastianelli, Ponens, S. Many, and F. Heiner, Auditors at Tournon, on March 23, decided to respond: Affirmatively. VIII. DAMAGES. Regarding a doubtful case: Whether the Royal Sentence of July 26, 1913, should be confirmed or rejected in this case, the Reverend Fathers, Monsignors S. Many, Ponens, F. Heiner, and I. Prior, Auditors at Tournon, on March 30, decided to respond: The aforementioned sentence should be confirmed in part, and rejected in another part, as follows: 1) The damages inflicted upon the religious by the parish priest should be made good, not by the Order, but by the religious himself, as far as he is able, and in his default or insufficiency, by the convent or house in which he resides, through recourse against N. N. 2) Those damages should be made good in the sum of libellae only. From the Chancery of the Holy Roman Rota, May 12, 1914. T. Tani, Notary.

[*Latin ed. p. 245*]

245 Secretariat of the State SECRETARIAT OF STATE LETTER I TO R. D.

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GRIMAL, WHO, AS A TOKEN OF FILIAL DEVOTION, PRESENTED TO THE MOST BLESSED FATHER A COPY OF THE WORK "JÉSUS-CHRIST ÉTUDIÉ ET MÉDITÉ." Reverend Father, The Holy Father, Pope Pius X, has deigned to accept with particular benevolence the tribute of your excellent work on Jesus Christ, studied and meditated upon, which Most Reverend Bishop of Rodez offered to Him in your name. Through the clarity and doctrinal precision of the exposition, through the historical presentation, and through the rigorous demonstration of the propositions presented, you have, in this important study, accomplished a work of profound scholarship, drawn from Roman sources in the past, and developed since in teaching and the ministry of souls. The Supreme Pontiff congratulates you for thus contributing to "restoring all things in Christ," and as a pledge of His paternal benevolence, His Holiness sends you from the heart the Apostolic Blessing. Thanking you personally for the copy which you graciously had delivered to me, I beseech you, Reverend Father, to accept the expression of my devoted sentiments in Our Lord. Rome, March 21, 1914. R. CARD. MERRY DEL VAL. II TO THE ILLUSTRIOUS MAN JOSEPH BUSSIERES, GENERAL PRESIDENT OF THE PONTIFFICAL CANADIAN ZOUAVES, FOR THE MOST RESPECTFUL LETTERS GIVEN TO THE MOST BLESSED FATHER. Mr. President, The Supreme Pontiff, Pius X, has gladly accepted the tribute of sentiments and filial piety which you were eager to offer to Him, both in your own name and in the name of the Pontifical Canadian Zouaves. ACTA, vol. VI, n. 7 — May 15, 1914.

[*Latin ed. p. 246*]

M6 Acta Apostolicae Sedis - Official Commentary. His Holiness thanks you all for this new assurance of fidelity, devotion, and unwavering attachment to the Church and to its august Head. As a pledge of His paternal benevolence and of heavenly favors, the Holy Father, with all His heart, grants to you, to the former Canadian Pontifical Zouaves, and to their families, the requested Apostolic Blessing. I seize this opportunity with eagerness to express to you, Mr. President, my distinguished sentiments. Rome, March 22, 1914. R. CARD. MERRY DEL VAL. III TO THE ILLUSTRIOUS PRESIDENT AND OTHER MEMBERS OF THE SOCIETY ENTITLED 'LIGUE INTERNATIONALE CATHOLIQUE CONTRE L'ALCOOLISME'. Our Holy Father, Pope Pius X, who with overflowing heart blessed the two hundred pilgrims of the International Catholic League against Alcoholism, charges me to express to you, and to your entire Federation, the sentiments of satisfaction and gratitude that He felt in receiving your tributes of veneration, with the assurance of your filial obedience. The Supreme Pontiff congratulates you on the success of the valiant crusade undertaken by you throughout the world, based on the principles of the Gospel and guided by the authority of the hierarchy. He prays that God may enrich the zeal

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that you display against this terrible scourge, an enemy of bodies and souls, and which brings with it so many physical and moral miseries. In blessing the efforts of all the Catholic societies affiliated with your League, the Holy Father blesses the good will of all their members and encourages them to persevere in their generous apostolate. The Popes, in recent times, have not failed to point out the grievous evil that you combat, and they have proclaimed the necessity of prompt and effective remedies. Provincial councils, bishops in all parts of the world, have raised the cry of alarm and have enlightened consciences. Following them, men of faith, science, and action have provoked, by word and by example, a very salutary movement in the Catholic works of temperance. How useful it is...

[*Latin ed. p. 247*]

The Secretariat of State, document 247, highlights the scourge of alcoholism and its effects, both economic, moral, and physiological, correlating it with the decline of individuals whose health, intelligence, conscience, and freedom it depresses and ruins; with the decline of families, within which it engenders confusion and disorder; and with the decline of society, which it threatens in its most serious interests. Indeed, among social works, there is none more urgent. Therefore, it will be very pleasing to the Supreme Pontiff to see your League strengthened by the accession of new Catholic societies. His Holiness expresses a strong desire that the clergy everywhere encourage this work of social rehabilitation and preservation, and that they place themselves, through teaching and example, at the very heart of the struggle against this evil which, in certain countries especially, sows so much scandal among the faithful. But this struggle will certainly lead to victory only if it is supported by divine grace, drawn from prayer, from the frequentation of the Sacraments, and from the general practice of Christian mortification: "A gradual canticle of Solomon. Unless the Lord build the house, they labour in vain that build it. Unless the Lord keep the city, he watcheth in vain that keepeth it" (Ps. 126:1). May the light of the Gospel of Jesus Christ shine in minds and hearts, and the scourge will cease, along with the train of evils that it brings in its wake. The Holy Father is pleased to bless your Federation with all the societies that compose it; He blesses your most venerable Protector, His Eminence Cardinal Mercier, who brings such praiseworthy zeal to thwart the advance and eliminate the causes of alcoholism. With my personal wishes and all my congratulations for your great and holy undertaking, please accept, Gentlemen, the assurance of my devoted sentiments in Our Lord.

Rome, April 23, 1914.

R. CARD. MERRY DEL VAL.

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[*Latin ed. p. 248*]

248 Acta Apostolicae Sedis - Commentarium Officiale
IV

AD R. P. D. A. HUMBRECHT, EPISCOPUM PICTAVIENSIUM,

OB LITTERAS BEATISSIMO PATRI DATAS DE CONFERENTIIS ECCLESIASTICIS.

Monseigneur,

Il Sovrano Pontefice è stato molto lieto di apprendere, attraverso le lettere di Vostra Eccellenza del 10 aprile scorso e i documenti che le accompagnavano, che le Conferenze Ecclesiastiche hanno ripreso una nuova vita nella Vostra diocesi, grazie all'impulso magistrale che Voi loro avete dato con la Vostra lettera del 29 settembre 1912, e ai saggi regolamenti che ne assicurano il buon funzionamento. Sua Santità congratula i Vostri sacerdoti per la cura che hanno dedicato alla *preparazione di queste Conferenze e non dubita che questi lavori, intrapresi e perseguiti in scienza e carità, contribuiscano efficacemente al giusto prestigio dei pastori e all'edificazione dei fedeli.

La grande missione predicata contemporaneamente nelle sei parrocchie della Vostra città episcopale da una legione di valorosi religiosi, e frequentata con tanto profitto da numerosi uditori, non è un minore motivo di consolazione per il Sovrano Pontefice, che condivide la gioia di Vostra Eccellenza di fronte a un successo così notevole e così fertile di promesse per il futuro.

Pertanto, è con tutto il cuore che Sua Santità invia a Vostra Eccellenza e a tutti i Vostri diocesani la Sua più cordiale benedizione.

Con i miei personali auguri, Monseigneur, riceva l'assicurazione dei miei sentimenti più devoti in Nostro Signore.

Dal Vaticano, il 5 maggio 1914.

R. CARD. MERRY DEL VAL.

[*Latin ed. p. 249*]

Diarium Romanae Curiae 249

DIARIUM ROMANAE CURIAE

SEGRETERIA DI STATO

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NOMINE

Per mezzo dei biglietti della Segreteria di Stato, il Santissimo Padre ha degnato di nominare:

2 aprile 1914. — Mons. Francesco Maria Vagni, segretario di nunziatura di seconda classe, segretario di nunziatura di prima classe.

22 aprile. — Sua Eminenza il cardinale Antonio Vico, Protettore dell'Istituto delle Oblate del Santissimo Redentore, in Spagna.

28 aprile. — Sua Eminenza il cardinale Gaetano Bisleti, Protettore della pia Società Spagnuola di Santa Cecilia Vergine e Martire per la musica sacra.

30 aprile. — Sua Eminenza il cardinale Ottavio Cagiano de Azevedo, Protettore della Congregazione delle Suore Betlemite Figlie del Sacro Cuore di Gesù.

2 maggio. — Sua Eminenza il cardinale Diomede Falconio, Protettore dell'Opera pia e Sodalizio di San Michele Arcangelo ai Corridori, in Roma.

3 maggio. — Sua Eminenza il cardinale Ludovico Billot, Protettore delle Suore Giuseppine del Messico.

4 maggio. — Sua Eminenza il cardinale Gennaro Granito Pignatelli di Beimonte, Protettore dell'Arciconfraternita del Santissimo Sacramento, in Santa Maria in Via.

10 maggio. — Sua Eminenza il cardinale Diomede Falconio, Protettore dell'Arciconfraternita della Santissima Natività di Nostra Signora, della Congregazione degli Agonizzanti, di Roma.

Con Brevi apostolici, il Santissimo Padre ha degnato di nominare:

Assistente al Soglio Pontificio:

22 aprile 1914. — Mons. Enrico Sibilia, arcivescovo tit. di Side.

Protonotari Apostolici ad instar participantium:

31 marzo 1914. — Mons. canonico dott. Emilio Roy, vicario generale dell'arcidiocesi di Montréal.

22 aprile. — Mons. Pietro D'Aquino, arcidiacono della cattedrale di Tivoli.

[*Latin ed. p. 250*]

250 Acta Apostolicae Sedis - Official Commentary of the Domestic Prelate of His Holiness: March 30, 1914. — Monsignor Alessandro Vidau, canon of the archbasilica of the Lateran. April 4. — Monsignor Giorgio Maria Le Pailleur and Monsignor Arsenio Dubuc, of the archdiocese of Montreal. April 6. — Monsignor Wilbrod Cleofa Martin, archdeacon of the metropolitan church of Montreal, and Monsignor Gaspare Dauth, canon of the same cathedral. April 7. — Monsignor Tommaso Stefano Duggan, rector of the cathedral of Hartford. April 22. — Monsignor Vincenzo Tommasini, canon of the cathedral of Ascoli Piceno. — Monsignor

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Francesco Muiesan, canon of the cathedral of Capo d'Istria. April 23. — Monsignor Gaetano De Vito, canon and pastor of the cathedral of Foggia. April 24. — Monsignor Felice D. M. Carthy, vicar general of the diocese of Harbour Grâce. April 25. — Monsignor Edoardo Patrizio Roche and Monsignor Giovanni St. John, of the archdiocese of St. Giovanni di Terranuova. — Monsignor Adalberto Zaborovszky, of the diocese of Cassovia. With letters from the Secretariat of State, the Holy Father deigned to appoint: Honorary Secret Chamberlains of His Holiness: April 17, 1914. — Monsignor Luigi Brusatin, archpriest of Vedelago in the diocese of Treviso. May 2. — Monsignor Giuseppe Casalegno, of the archdiocese of Turin. May 4. — Monsignor Giulio Kvacsák, Monsignor Giuseppe Bombera, and Monsignor Ferdinando Pawlikowski, military chaplains of the Austro-Hungarian army. Honorary Chamberlains in peacock blue attire of His Holiness: April 19, 1914. — Monsignor Luigi Gavotta, of the diocese of Foggia. April 20. — Monsignor Giovanni Chinaglia, of the diocese of Adria. April 23. — Monsignor Ladislao Saly, prefect of studies in the central seminary of Budapest. April 26. — Monsignor Andrea Skrábik, of the diocese of Nitria. May 1. — Monsignor Ugo Mioni, of the diocese of Trieste.

[*Latin ed. p. 251*]

Diarium Romanae Curiae 251: To the Secret Honorary Chaplain of His Holiness: May 4, 1914. — Monsignor Francesco Ferényi, military chaplain of Posen. Secret Chamberlain of Sword and Cape, honorary: March 28, 1914. — Mr. Doctor Anthony Mary de Murua, Count of Lariz, of the diocese of Vittoria. March 30. — Mr. Adam Joseph Kiel of Geisa, of the diocese of Fulda. HONORS: With Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Grand Cross of the Order of St. Sylvester: April 23, 1914. — To His Excellency, Mr. Carlo Magalhaes de Azeredo, extraordinary envoy and minister plenipotentiary of Brazil in Greece. The Commander's Cross with plaque of the Order of St. Gregory the Great, civil class: May 1, 1914. — To Mr. Napoleon Schroeder, of the archdiocese of Paris. The Commander's Cross with plaque of the Order of St. Gregory the Great, military class: April 27, 1914. — To Mr. Giovanni Lobi, lieutenant marshal of the Austrian army and head of department at the Ministry of War. The Cross of the Order of St. Gregory the Great: April 25, 1914. — To Mr. Lawyer Commendatore Carlo Patriarca, of Rome. The Commander's Cross of the Order of St. Gregory the Great, civil class: March 24, 1914. — To Mr. Peter Lotte, of the archdiocese of Paris. April 16. — To Mr. Paul Robertbeusters, of Antwerp. April 23. — To Mr. Carlo Hardy, of the archdiocese of Sens. — To Mr. Count Carlo de Liedekerke, formerly first-class secretary of the Legation of Belgium at the Holy See. April 25. — To Mr. Knight Basilio

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Malatakis, of the Greek-Catholic community of Constantinople.

[*Latin ed. p. 252*]

252 Acta Apostolicae Sedis - Official Commentary. The Knighthood of the Order of St. Gregory the Great, civil class: April 3, 1914. – To Mr. Giovani Vrofimoff, of the diocese of Sira. April 16. – To Mr. Eugenio Boumard, of Paris. April 17. – To Mr. Spiridione Nachich, residing in Pola. – To Mr. Adriano Durand, of the diocese of Langres. April 19. – To Mr. Doctor Desiderio Bayer-Krucsay, of Budapest. April 30. – To Mr. Adolfo Costantini, residing in Bologna. The Knighthood of the Order of St. Gregory the Great, military class: April 17, 1914. – To Messrs. Filippo Hebert and Edoardo Leblanc, formerly Papal Zouaves, of the archdiocese of Montreal. The Knighthood of the Order of St. Sylvester the Pope: April 18, 1914. – To Mr. Stefano Cologerá, of the diocese of Ragusa. April 23. – To Mr. Leone Giuseppe Boé de Maindreville, of the diocese of Beauvais. April 26. – To Mr. Engineer Filippo Sneider, of Rome. NECROLOGY. April 26, 1914. – Monsignor Giorgo Posilovic, Archbishop of Zagreb. May 5. – Monsignor Armando Pietro Sabadel, Archbishop of Corinth.

[*Latin ed. p. 253*]

Year VI. - Vol. VI. May 28, 1914. No. 8. ACTA APOSOLICAE SEDIS. OFFICIAL COMMENTARY. ACTA OF POPE PIUS X. ADDRESS GIVEN IN THE CONSISTORY ON MAY 25, 1914. VENERABLE BROTHERS:

Since our last address to you, assembled in this sacred Consistory, not much time has passed; yet, within this interval, many from your most distinguished Order have departed, one after another, and many of them, even now, we seek with our gaze, fixed upon the vacant seat. We seem to grieve, not so much for their loss, but rather for our own, as they have gone to that place where, having completed their earthly life in a manner both holy and useful to the Church, they now, we hope, enjoy eternal blessedness; while we, deprived of their pious help and industry, are still tossed by the waves of this life. Therefore, Venerable Brothers, we have convened you, not only to consider the needs of the churches, but also to replenish your own College; and it is fitting that you diligently strive to lighten our burdens and anxieties of the apostolic office, and that you find associates and helpers who are equal to this honorable task. Moreover, if we consider the *ACTA* of common affairs...

[*Latin ed. p. 254*]

254 Acta Apostolicae Sedis - Commentarium Officiale. The times of the Church are, indeed, most turbulent, when everywhere the contagion of corrupt doctrines spreads to corrupt the faith of the Christian people and their morals, and when we are compelled to endure almost daily attacks from men who publicly despise the kingdom of God, or who seek to banish religion from civil society.

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Although these are trying times, we are not without consolations, thanks to the merciful God: for last year, the solemnities of the centenary were celebrated, at which the Church, having enjoyed a period of peace after so many labors and sorrows, thanks to the Edict of Constantine, began at last to enjoy tranquility. Indeed, those celebrated demonstrations of piety, which were continuously held during those months, greatly refreshed us: for the Catholic world, with firm faith, confirmed its devotion, and the Cross of Christ was seen to have been raised, demonstrating to all of humankind the only source of peace and salvation. Now, if ever, peace is sought; for we see that orders of citizens, nations to nations, peoples to peoples, are inflamed with hatred, and that, through the conflicts they wage among themselves, they daily erupt into ever more violent and often horrific clashes. There are, of course, most distinguished and serious men who, for the sake of states and indeed of human society, develop common plans and reasons, as to how calamities, massacres, and the horrors of war may be prevented, and how lasting peace may be established both at home and abroad. This is, indeed, the best intention, but the plans are of little use, unless they are accompanied by vigorous action, so that the precepts of Christian justice and charity may take deep root in the hearts of men. Today, whether a state or republic is tranquil or turbulent, it depends less on those who are in power, than on the multitude. But when minds are commonly filled with false ideas, and not accustomed to being restrained by the discipline of Christian law, what is surprising, if inflamed crowds, driven by blind passions, rush headlong to their own destruction, spurred on by cunning instigators who seek only their own advantage? Truly, justice and charity are the teachers of truth.

[*Latin ed. p. 255*]

The Acts of Pope Pius X, page 255, concerning the Church, which, having been established by its divine Founder, and being the one most efficacious for the salvation of all, should it not be the duty of civil wisdom, in the administration of the republic, not only to allow it to freely and openly perform its office, but also to support it with all means? But the contrary often occurs; for the Church is treated as if it were not the source and parent of all that is most valuable in human and civil life, but rather as if it were to be regarded as an enemy of the human race. But these things ought not to disturb Us; for We know, from the example of Christ, that the Church was born to suffer injuries in place of benefits; nor are We ignorant that divine help will never fail it, especially in difficult times; and We have Christ Himself as a witness of this, and history as a testament. It has been a hundred years since the Pope, Rome's own, freed from the insults of long captivity, was received with great rejoicing throughout the world. It was then a marvel to all, as if the constancy of the most holy old man was adorned with the laurel of martyrdom, who alone resisted the

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obstinacy of the most powerful ruler and emerged victorious. But a still greater miracle occurred at that very time, namely, that very help which the Lord Christ promised to His Bride forever. For Pope Pius Septimus would not have emerged from such great difficulties, unless he had been rescued by God, the protector of the Church, beyond all expectation. But let us return to the matter at hand. Therefore, We have decided, in honor of your College, Venerable Brothers, to bestow recognition upon several outstanding men who, whether in the episcopal office, or among the sacred councils of the City, or in other ways, have rendered their services to Us most excellently. These are: MENDES BELLO, Patriarch of Lisbon, whom the Holy Roman Church created a Cardinal and reserved in pectore on November 27, 1911, in the Consistory; VICTORIANUS GUISASOLAYMENENDEZ, Archbishop of Toletanus; LUDOVICUS NAZARIUSBÉGIN, Archbishop of Quebecensis; ANTONIUS.

[*Latin ed. p. 256*]

Acts of the Apostolic See - Official Commentary 256. Archbishop titular of Seleucia, Assistant to the Holy Roman and Universal Inquisition: IACOBUS DELLACHIESA. Archbishop of Bologna: FRANCISCUS DE BETTINGER. Archbishop of Munich and Freising: IOANNES CSERNOCH. Archbishop of Gran: HECTOR IRENAEUSSÉVIN. Archbishop of Lyons: FELIX DE HARTMANN. Archbishop of Cologne: GUSTAVUS PIFFL. Archbishop of Vienna: SCIPIO TECCHI. Assistant to the Sacred Congregation of the Consistory: PHILIPPUS GIUSTINI. Secretary to the Sacred Congregation of Sacraments: MICHAEL LEGA. Dean of the Sacred Roman Rota: AIDANUS GASQUET. President of the English Congregation of Benedictines: DOMINICUS SERAFINI. What seems good to you? Therefore, by the authority of Almighty God, and of the holy Apostles Peter and Paul, and Ourselves, We publicly proclaim the Reverend Cardinal ANTONIUS MENDES BELLO. Furthermore, We create and publicly proclaim the following as Cardinals: from the Order of Priests: LUDOVICUS GUISASOLA, NAZARIO DOMINICUS SERAFINI, IACOBUS DELLA, FRANCISCUS, IOANNES, BETTINGER, IRENAEUS, DE, GUSTAVUS, SÉVIN, HARTMANN, PIFFL, MENENDEZ, BÉGIN, CSERNOCH, HECTOR, FELIX, DE, Presbyters.

[*Latin ed. p. 257*]

Acta, given at the Vatican, on the tenth day of the month of June, in the year of Our Lord two thousand and five hundred and seventy-seven, concerning the ordination of Deacons: Scipione Tecchi, Philip Giustini, Michael Lega, and Aldanus Gasquet. With the necessary dispensations, derogations, and clauses. In the name of the Father, and the Son, and the Holy Spirit. Amen.

LETTERS ARE GRANTED to the Seminary of the Archabbey of Saint

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Vincent, of the Order of Saint Benedict, in the Diocese of Pittsburgh, for a period of seven years, the faculty of conferring academic degrees.

PIUS PP. X, for the sake of posterity.

The Roman Pontiffs, guardians and defenders of the sacred disciplines, have always diligently sought to ensure that young people are instructed in the German languages, and they have considered it their duty to establish and promote institutions of learning, and to regulate them with wise laws, so that the students may be imbued with piety, as well as with a knowledge of human and divine things. With these principles in mind, We have approved the request of Our beloved son, Leander Schnerr, a highly deserving archabbot of the Abbey of Saint Vincent, of the Order of Saint Benedict.

We are not unaware that, among the many works that the illustrious Order of Saint Benedict has successfully undertaken in the past century, for the preservation and advancement of the Catholic faith, which it has always diligently sought to promote, the Abbey of Saint Vincent, prudently established within the boundaries of the Diocese of Pittsburgh, has been a source of great benefit. Indeed, from this abbey, others have sprung forth, which now exist in the vast region of North America, and the abbey has rightfully earned the honor of being an archabbey, and the seminary attached to it is dedicated to the education of young men in religion and sacred disciplines.

Indeed, Our praised and beloved son, who now wisely and skillfully governs the aforementioned archabbey, has repeatedly requested that, in order to enhance the prestige of the same seminary, We grant it, through Us, the privilege of conferring academic degrees, such as those in Philosophy and Sacred Theology; and several of the venerable Bishops of that region have also...

[*Latin ed. p. 258*]

258 Acta Apostolicae Sedis - Official Commentary: Since this request is made with the same desire, and they themselves have offered their prayers to us; asserting that this will occur for the good of the Church with unanimous consent; We, after having considered the matter with the Most Reverend Fathers, Members of the Congregation for Studies, having carefully considered all that has been presented, and especially having examined the progress of studies which is being shown to be increasingly improved, have decided to grant to the aforementioned seminary, established within the Archiepiscopal See of St. Vincent, the privilege of conferring academic degrees, both in Philosophy and in Sacred Theology, for a period of seven years. Indeed, we are almost certain that such an undertaking will have a successful outcome; and this hope is inspired by the promises of past times, by the knowledge and prudence of the religious men of that very Archiepiscopal See, and also by their proven devotion to the Roman See.

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Therefore, signifying our will towards the aforementioned Archiepiscopal See, its teachers and students, with this singular concession, We declare and establish, by Our Apostolic authority, that for a period of seven years, the Archiepiscopal See of St. Vincent shall have the privilege of conferring academic degrees, both in Philosophy and in Sacred Theology, to students who have duly completed the courses in the aforementioned seminary in those same disciplines; however, with the following condition: that at the end of this scholastic year, the Bachelor's degree, at the end of the second year, the Licentiate, and at the end of the third year, the Doctorate in Philosophy may be conferred upon those who, before the professors, and after having submitted a thesis to the Sacred Congregation for Studies, have duly demonstrated the soundness of their knowledge, and have obtained at least two of the three votes. Those who, having diligently completed the course in Philosophy, have begun the study of Sacred Theology, may, in the same Archiepiscopal seminary, after the second year, obtain the Bachelor's degree, after the third year the Licentiate, and after the fourth year the Doctorate in Sacred Science, with the same examination and judgment as mentioned above. May this be a good, happy, and prosperous undertaking, and may it contribute to the honor of God, to the glory of the Church, and to the benefit of the entire Christian republic. We decree, however, that a special report be sent annually to the Sacred Congregation for Studies, concerning matters of note, and especially concerning the conferral of degrees. Notwithstanding any contrary provisions. Given at Rome, at St. Peter's, under the Fisherman's Ring, on the twenty-first day of March, in the eleventh year of Our Pontificate. 1924, R. L. ® S. CARD. MERRY DEL a Secretis Status.

[*Latin ed. p. 259*]

Acta Pii PP. X 259. LETTER TO THE BELOVED SON, THE PRESIDENT OF THE PIAN SOCIETY OF ST. ANTHONY, UNIVERSAL; WHICH HE PRAISES. Beloved Son, greetings and the apostolic blessing. — We know that your society diligently devotes itself to assisting the needy and promoting devotion to St. Anthony, the heavenly Patron of the people. But the things we have recently heard, which bring such great praise to you, have brought us no small joy. We have heard that your society, greatly increased in members, has consistently alleviated the poverty of its people and has either established or supported many churches or chapels, for the most holy honor of that Patron, among Italians and other peoples. Furthermore, it has widely disseminated small publications and books, published by its own press, for the preservation of morals and faith, and in all of these endeavors, it has expended a great sum of money to this day. Moreover, we have learned that, through your efforts, in recent years, you have prevented many Italians who reside in the regions of Americae from falling away from the faith; for the more those places lacked spiritual support due to

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their vastness, the more diligently you have cared for them, encouraging them to cultivate piety and providing assistance, also through the wider dissemination of the Antonian periodical. Therefore, there is ample reason for us to congratulate you, beloved Son, and all your members, on the abundant fruits you have reaped from your labors. Continue, as you have done before, to strive for the salvation of your neighbors, and, if possible, aspire to even greater things; and just as you are pleasing to us and to all good men, so may the most benign God, and especially the intercessor and patron St. Anthony, never fail to grant you every kind of help. May this apostolic blessing, a witness to our paternal benevolence, be given to you, beloved Son, and to the pious Society that you lead, and to all your most beloved members in the Lord. Given at Rome, near the blessed Peter, on the twenty-fifth day of the month of March, in the year 1914, in the eleventh year of Our Pontificate. PIUS PP. X.

[*Latin ed. p. 260*]

Acta Apostolicae Sedis - Official Commentary 260. ADDRESS GIVEN ON THE OCCASION OF THE IMPOSITION OF THE SACRED RINGS ON THE NEW CARDINALS ON MAY 27, 1914.

The grave sorrow, felt after the Consistory of 1911 due to the loss of so many excellent Cardinals, was in some measure alleviated by the comfort of having been able to fill that void, and yesterday, I entrusted to the sacred College, you, my beloved Sons. The qualities of piety, doctrine, and zeal, which distinguish you, and above all, the devotion which you profess to this holy Apostolic See, assure me that you will be of valuable help to me in preserving the integrity of the deposit of Faith, in safeguarding ecclesiastical discipline, and in resisting the subtle attacks to which the Church is subjected, not so much from open enemies, but especially from its own children. For if it was due to the unyielding firmness of our fathers, to their diligent vigilance, to their zealous care, and to their almost virginal delicacy in matters of doctrine, that the Church triumphed in all dangers and in all attacks made against it throughout the centuries, perhaps there was never a time when it was so necessary to keep a close watch on this sacred deposit, so that its integrity and purity may be maintained.

Unfortunately, we live in a time in which it is very easy to put on a good face, and to adopt certain ideas of reconciling the Faith with the modern spirit, ideas which lead much further than one might think, not only to a weakening, but to the total loss of the Faith. It is no longer surprising to hear those who delight in the very vague words of modern aspirations, of the power of progress and of civilization, asserting the existence of a secular conscience, of a political conscience opposed to the conscience of the Church, against which they claim the right and the duty to react, in order to correct and straighten it. It is not new to encounter people who, without any doubt or hesitation, and with stubborn assertions about manifest errors,

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repeatedly condemned, nevertheless persuade themselves that they have never strayed from the Church, because they have sometimes performed Christian practices. Oh! How many sailors, how many pilots, and, God forbid, how many captains, trusting in profane novelties and in the false science of the time, instead of reaching the port, have been shipwrecked!

[*Latin ed. p. 261*]

Acts of the Most Holy Father, Pope Pius X, 261. Amidst so many dangers, in every circumstance, I have not failed to make my voice heard, to call back the erring, to point out the harms, and to show to Catholics the path they should follow. But not always, nor by all, was my word understood and interpreted well, although it was clear and precise. Indeed, not a few, following the disastrous example of those adversaries who sow tares in the field of the Lord, in order to bring confusion and disorder, did not hesitate to give it arbitrary interpretations, attributing to it a meaning entirely contrary to that intended by the Pope, and considering the prudent silence as a sanction. And in these difficult conditions, I am in need of the valid and effective cooperation of your work, O my beloved Sons, both in the various dioceses to which you will return with papal dispensation, and in the Roman Curia and Congregations, because, raised to the dignity to which you have been elevated, united in mind and heart with the Pope, you should be among the first defenders of sound doctrine, among the first teachers of the truth, the proclaimers of the precise will of the Pope. Preach to all, but especially to clerics and other religious, that nothing displeases Our Lord Jesus Christ, and therefore His Vicar, more than discord in matters of doctrine, because in divisions and controversies, Satan always triumphs, and dominates over the redeemed. To preserve unity in the integrity of doctrine, especially protect priests from frequenting people of dubious faith and from reading books and newspapers, not to say bad ones, from which every honest person shuns, but also those that are not entirely approved by the Church, because the atmosphere that is breathed is deadly, and it is impossible to handle pitch without being stained by it. If ever you encounter those who boast of being believers, devoted to the Pope, and who want to be Catholics, but would consider it the greatest insult to be called clerical, solemnly declare that the devoted children of the Pope are those who obey His word and follow Him in all things, and not those who seek ways to evade His orders, or to force Him, with persistence worthy of a better cause, to grant exemptions or dispensations, the more painful and scandalous they are. Never cease to repeat that, if the Pope loves and approves of Catholic associations that also aim at material well-being, He has always instilled that moral and religious good must prevail in them, and that the just and praiseworthy intention of improving the condition of the worker and the farmer must always be united with the love of justice and the use of legitimate means to maintain harmony and peace among

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the various social classes. Clearly state that mixed associations, alliances with non-Catholics for material well-being, under certain determined conditions, are permitted, but that the Pope...

[*Latin ed. p. 262*]

262 Acta Apostolicae Sedis - Commentarium Officiale: We prefer those unions of the faithful, who, having set aside all human respect and closed their ears to every contrary flattery or threat, gather around that banner, which, although contested, is the most splendid and glorious, because it is the banner of the Church. This is the field, O my beloved children, in which you must exercise your activity and your zeal. But since our work is of no avail unless it is blessed by Heaven, let us pray to Our Lord Jesus Christ, who strengthened and sealed with His Blood the universal brotherhood of the human race, and gathered together all those who were to believe in Him as one family, that He may coordinate the minds and wills of all for our work with such perfection of concord that all the children of the Church may be one with each other, just as He and the Father are one. And in this dear hope, I impart to you with a full heart the Apostolic Blessing.

I ACTA CONSISTORII PROUT EDITA SUNT IPSIS CONSISTORII DIEBUS: Rome, 25 May 1914. This morning, His Holiness Pope Pius X held a Secret Consistory in the Vatican Apostolic Palace, for the provision of numerous churches, and for the creation and publication of new Cardinals of the Holy Roman Church. At 9:30 AM, His Holiness, wearing the mozzetta, the stola, and the red cassock, went to the Consistory Hall, where the Eminent and Reverend Cardinals were already assembled.

[*Latin ed. p. 263*]

The Sacred Congregation Consistorialis, having assembled, and the HOLY FATHER seated upon the throne, having said "V Adsumus," by Monsignor Riggi, Prefect of the Pontifical Ceremonies, ordered "Y extra omnes." Remaining only the HOLY FATHER with the members of the Sacred College, the Most Eminent and Reverend Cardinal RINALDINI, having completed his office as Camerlengo of the Sacred College, presented the chamberlain's purse to HIS BLESSEDNESS, who deigned to pass it to the Most Eminent and Reverend Cardinal PIETRO GASPARRI, as the Most Eminent and Reverend Cardinal LORENZELLI was absent due to illness, to whom it would have belonged. The Most Eminent and Reverend Cardinal BASILIUS POMPILJ, having relinquished the deaconship of Saint Mary in Domnica, made his option to the Order of the Presbyterate. Then the HOLY FATHER pronounced an allocution, in which he deigned to proclaim as Cardinals of the Holy Roman Church, of the Order of Priests, Monsignor ANTONIO MENDES BELLO, Patriarch of Lisbon, already created and reserved in pectore at the Consistory of November 27, 1911; and to create and proclaim as Cardinals of the Holy

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Roman Church: OF THE ORDER OF PRIESTS, Monsignor VICTORIANO GUISASOLAYMENENDEZ, Archbishop of Toledo; Monsignor LODOVICO NAZARIO BÉGIN, Archbishop of Quebec; Monsignor DOMENICO SERAFINI, Archbishop titular of Seleucia, Assessor of the Holy Congregation of the Holy Office; Monsignor GIACOMO DELLA CHIESA, Archbishop of Bologna; Monsignor GIOVANNI CERNOC, Archbishop of Strigonia; Monsignor FRANCESCO DE BETTINGER, Archbishop of Munich and Freising; Monsignor ETTORE IRENEO SEVIN, Archbishop of Lyon; Monsignor FELICE DE HARTMANN, Archbishop of Cologne; Monsignor GUSTAVO PIFFL, Archbishop of Vienne. OF THE ORDER OF DEACONS, Monsignor SCIPIONE TECCHI, Assessor of the Sacred Congregation Consistorialis; Monsignor FILIPPO GIUSTINI, Secretary of the Sacred Congregation of the Sacraments; Monsignor MICHELE LEGA, Dean of the Sacred Roman Rota; Reverend Father Abbot AIDANO GASQUET, President of the English Benedictine Congregation. Then the Most Eminent and Reverend Cardinal SERAFINO VANNUTELLI, Bishop of Porto and Saint Rufina, having approached the Pontifical Throne, spoke.

[*Latin ed. p. 264*]

264 Acta Apostolicae Sedis - Official Commentary, as Dean of the Holy College, to the suburban Church of Ostia, distinct from Velletri. *~ His Eminence and Reverend Lord Cardinal DIOMEDEFALCONIO, also presented himself before the Papal Throne, for the suburban Church of Velletri, which had become vacant by the death of the Most Reverend Oreglia. After this, the HOLY FATHER announced the appointments to the Churches as follows: The suburban Church of Ostia, to His Eminence Cardinal SERAFINOVANNUTELLI, Dean of the Holy College, who also holds the Sees of Porto and St. Rufina. The suburban Church of Velletri, to His Eminence Cardinal FALCONIO, who relinquishes the presbyteral title of St. Mary in Aracoeli. The Camerlengo of the Holy Roman Church, to His Eminence Cardinal FRANCESCOSALESIODELLAVOLPE. Then, HIS BLESSEDNESS proposed the following Churches: The Metropolitan Church of Salzburg, to the Reverend BALTASSAREKALTNER, promoted from the Cathedral Church of Gurk. The Metropolitan Churches of Colocza and Bács, to the Reverend Monsignor LEOPOLDOARPAD VARADY, promoted from the Cathedral Church of Gyar. The Cathedral Church of Trivento, to the Reverend Monsignor ANTONIOLEGA, of the diocese of Faenza, and General Vicar of Tivoli. The united Cathedral Churches of Cava and Sarno, to the Reverend Monsignor LUIGILAVITRANO, of the diocese of Ischia, Doctor of Theology and Law, and Rector of the Leonian College in Rome. The Cathedral Church of Ischia, to the Reverend PASQUALERAGOSTA, Official of the Curia of Naples and Professor in the Archdiocesan Lyceum. The Cathedral Church of Cuneo, to the

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Reverend Father GABRIELE (born Natale) MORIONDO, O.P., Rector of the Dominican Mission in Constantinople. The Cathedral Church of Galloway, to the Reverend GIACOMO MeCARTHY, Canon of the Cathedral of Glasgow. The Cathedral Church of Camagüey (Cuba), to the Reverend Father VALENTINODELL'ASSUNZIONE (born Emanuele) ZUBIZARRETA, Discalced Carmelite, formerly Reader in Theology and Provincial of the Province of Navarra. The titular Bishopric of Amiso, to the Reverend Father ANTONIOMALAN, Salesian Priest, appointed Prelate of the new Prelature of Registro of Araguaya in Matto Grosso (Brazil).

[*Latin ed. p. 265*]

The Sacred Congregation Consistorial has decreed:

A titular bishopric, the Church of Vaga, is assigned to the Reverend DANIEL COHALEN, professor of dogma at the College of Maynooth (Ireland), appointed Auxiliary Bishop of Cork.

A titular bishopric, the Church of Fomos, is assigned to the Most Reverend Monsignor GIUSEPPE ANSELMO LUQUE, General Vicar of Cordoba, Archdeacon of the Cathedral, and Doctor of Sacred Theology, appointed Auxiliary Bishop of Cordoba (Argentina).

A titular bishopric, the Church of Ostracine, is assigned to the Reverend INNOCENZO DAVILA, Rector of the Seminary of Cordoba, and Canon Theologian of the Cathedral, appointed Auxiliary Bishop of Cordoba (Argentina).

Therefore, His Holiness has announced the following appointments to the following churches, already made by Bull or Brief:

The Metropolitan Church of Strigonia, to the Most Reverend Monsignor GIOVANNI CERNOC, promoted from Colocza.

The Metropolitan Church of Cosenza, to the Most Reverend Monsignor TOMMASO TRUSSONI, Canon and General Vicar of Como, and Doctor of Letters.

The Metropolitan Church of Capua, to the Most Reverend Monsignor GENNARO COSENZA, promoted from the Cathedral Church of Caserta.

The Metropolitan Church of Cagliari, to the Most Reverend Monsignor FRANCESCO ROSSI, of the diocese of Padua, General Vicar and Rector of the Seminary of Perugia.

A titular archbishopric, the Church of Calcide, is assigned to the Most Reverend Monsignor CARLO PIETRO PAOLI, promoted from the Cathedral Church of Trivento.

The Metropolitan Church of Vienna, to the Reverend Father FEDERICO (Gustavo by baptism), Abbot of the Canons of the Lateran Palace and Preposit of the Canonry of Klosternenburg.

A titular archbishopric, the Church of Metimna, is assigned to the Most Reverend Monsignor TOMMASO FENNELLY, transferred from the

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Metropolitan Church of Cashel.

The Metropolitan Church of Warsaw, to the Most Reverend Monsignor ALESSANDRO KAKOWSKI, Canon of Warsaw, Rector of the Ecclesiastical Academy of St. Petersburg, Domestic Prelate of His Holiness, and Doctor of Sacred Theology and Canon Law.

The Metropolitan Church of Tarragona, to the Right Reverend Monsignor ANTONIO LOPEZ Y PELAEZ, transferred from the Bishopric of Jaca.

The Metropolitan Church of Burgos, to the Most Reverend Monsignor GIUSEPPE CADENAYELETA, transferred from the Bishopric of Vittoria.

A titular archbishopric, the Church of Apamea, is assigned to the Most Reverend Monsignor RENATO FRANCESCO RENOU, transferred from the Metropolitan Church of Tours.

The Metropolitan Church of Tours, to the Most Reverend Monsignor ALBERTO NEGRE, transferred from the Cathedral Church of Tulle.

The Metropolitan Church of Cambrai, to the Most Reverend Monsignor GIOVANNI ARTURO CHOLLET, promoted from Verdun.

[*Latin ed. p. 266*]

266 Acta Apostolicae Sedis - Commentarium Officiale.

The Titular Church of Emesa, for the Most Reverend Monsignor ALBERTO VASSALLO, Bishop of Caltanissetta, Secret Chamberlain of His Holiness, and Apostolic Delegate in the Republic of Colombia.

The Metropolitan Church of Cashel, for the Reverend Father GIOVANNI HARTY, Doctor of Sacred Theology and Professor at the National College of Maynooth in Ireland.

The Cathedral Church of Lugos of the Greek-Ruthenian rite, for the Reverend VALERIO TRAIANO FRENTIN, of the same diocese, Vicarious Forane, and Doctor of Sacred Theology.

The Cathedral Church of Banjaluka, for the Reverend Father GIUSEPPE GARIC, of the Franciscan Order of the Leonian Union.

The Cathedral Church of Châlons-sur-Marne, for the Most Reverend Monsignor GIUSEPPE MARIA, General Vicar of Chartres.

The Cathedral Church of Nueva Segovia, for the Most Reverend Monsignor PIETRO GIUSEPPE HÜRTH, transferred from the Titular Bishopric of Milopotamo.

The Titular Bishopric of Taso, for the Most Reverend Monsignor EMERIK OBJELIK, Military Vicar of the Hungarian army, Canon of the Cathedral of Gran Varadino, and Apostolic Protonotary *ad instar participantium*.

The Cathedral Church of Aguascalientes, for the Most Reverend Monsignor IGNAZIO VALDESPINO, transferred from the Cathedral Church

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of Sonora.

The Cathedral Church of Charlottetown, for the Reverend Father ENRICO O' LEARY, Parish Priest of Bathurst in the diocese of Chatham, Doctor of Philosophy, Sacred Theology, and Canon Law.

The Cathedral Church of Kearney, for the Reverend Father GIACOMO ALBERTO DUPPY, Rector of the Cathedral of Cheyenne and Episcopal Chancellor of the Curia of the same diocese.

The Cathedral Church of Évreux, for the Most Reverend Monsignor LODOVICO GIOVANNI DE CHELETTE, transferred from the Titular Bishopric of Gerapoli.

The Cathedral Church of Corpus Christi in the United States of America, for the Reverend Father PAOLO NUSSBAUM, Passionist Consultant in Baltimore.

The Cathedral Church of Calgary in Canada, for the Reverend Father GIOVANNI TOMMASO Me NALLY, Doctor of Sacred Theology and Parish Priest in the Archdiocese of Ottawa.

The Cathedral Church of Imola, for the Reverend Father PAOLINO DA-CORTONA, in religious life Giovanni Tribbioli, of the Capuchin Order, Secretary of the General Curia.

The Cathedral Church of Matanzas (Cuba), for the Reverend Father CARLO WARREN CURRIER, of the Archdiocese of Baltimore.

The Titular Bishopric of Cibira, for the Most Reverend Monsignor SIGISMONDOWAITZ, Professor of Morality at the Seminary of Bressanone, Doctor of Sacred Theology, appointed Auxiliary Bishop of Bressanone.

The Cathedral Church of Levkosia, for the Reverend Father AGOSTINO (in religious life, Felice) ADDÉO, Prior of the Augustinians in Pavia, Licentiate in Canon Law.

[*Latin ed. p. 267*]

The Sacred Congregation Consistorialis, number 267:

The titular church of the Bishopric of Tiberias, for Monsignor GIACOMOSINIBALDI, Canon of the Vatican, Apostolic Protonotary, and Rector of the Portuguese College in Rome.

The Cathedral Church of Venosa, for the Reverend ANGELOPETRELLI, Archpriest of Arnesano in the diocese of Lech.

The titular church of the Bishopric of Modra, for the Most Reverend Monsignor STEFANOGIULIOGAZANIOL, transferred from the Cathedral Church of Costantina.

The titular church of the Bishopric of Domiziopoli, for the Reverend ARTUROBÉLIVEAU, Parish Priest of the Metropolitan Church of St. Boniface, appointed Auxiliary to the Archbishop of St. Boniface.

The Cathedral Church of Costantina, for the Most Reverend Monsignor

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GIULIOALESSANDROLEONE, archdiocesan of Albi and General Vicar in Orano.

BOUISSIÈRE, the Cathedral Church of Caserta, for the Most Reverend Monsignor MARIOPALLADINO, transferred from Ischia.

The Cathedral Church of St. Severinus, for the Most Reverend Monsignor ADAMOBORGHINI, transferred from the titular church of Carpasia.

The Cathedral Church of Atri, for the Reverend ANSELMORIZZI, Archpriest of Ostiglia in the diocese of Mantua.

The titular church of the Bishopric of Cerasa, for the Most Reverend Monsignor CARLOGIUSEPPEEUGENIO in Sacred Theology, appointed Coadjutor with future succession to Monsignor Carlo Francesco Turinaz, Bishop of Nancy.

RUCH, General Vicar of Nancy and Doctor of Laws, for the Reverend TRIFONEPEDERZOLLI, Parish Priest of St. Anthony in Trieste and Doctor of Sacred Theology.

The Cathedral Church of Peterborough, for the Reverend MICHELEGIUSEPPEO'BI Doctor of Sacred Theology and Parish Priest of the Church of the Sacred Heart in Peterborough.

The Cathedral Church of Hajdu-Dorogh of the Greek rite, for the Most Reverend Monsignor STEFANO MIKLÓSY, Archdeacon of the County of Zemplén in the diocese of Munkács, Chaplain of Honor to His Holiness.

The titular church of the Bishopric of Castoria, for the Most Reverend Monsignor FRANCESCOGOSSMANN, Canon of the Cathedral of Vacia and Domestic Prelate of His Holiness, appointed Auxiliary of Vacia.

The Cathedral Church of Münster, for the Reverend GIOVANNI-POGGENBURG, Canon and Capitular Vicar of the Cathedral of Münster.

The Cathedral Church of Lodi, for the Most Reverend Monsignor PIETROZANOLINI, transferred from Fabriano and Matetica.

The Cathedral Church of Chiapas, for the Reverend MASSIMINORUIZ, Canon Penitentiary of the Basilica of Guadalupe, Doctor of Sacred Theology and Professor of Theology in the diocesan seminary.

[*Latin ed. p. 268*]

268 Acta Apostolicae Sedis - Official Commentary. Titular Church of Apollonia, for the Reverend Doctor ANTONIO ALVARO BALLANO, Archdeacon of the Metropolitan Church of Toledo, Doctor of Sacred Theology, appointed Auxiliary to the Cardinal Archbishop of Toledo. Cathedral Church of Limburg, for the Reverend CARLO AGOSTINO KILIAN, Canon of the same Cathedral, and Doctor of Canon Law. Cathedral Church of Cordova, for the Most Reverend Monsignor RAIMONDO GUILLAMETY COMA, transferred from the Bishopric of León. Cathedral Church of León, for the Most Reverend Monsignor GIUSEPPE ALVAREZ

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MIRANDA, Penitentiary Canon of the Cathedral Church of Oviedo. Cathedral Church of Segorbe, for the Most Reverend Monsignor LUIGI M. AMIGÓ Y FERRER, transferred from the titular Church of Zagaste. Cathedral Church of Salamanca, for the Most Reverend Monsignor GIULIANO DE DIEGO Y GARCIAALCOLEA, transferred from the Bishopric of Astorga. Cathedral Church of Astorga, for the Reverend ANTONIO SENSOLA ZARO, Canon of the Cathedral of Madrid, and Rector of the Diocesan Seminary. Cathedral Church of Plasencia, for the Reverend EMANUELE DE TORRES Y TORRES, Dean Canon of the Metropolitan Church of Seville. Cathedral Church of Badajoz, for the Most Reverend Monsignor ADOLFO PÉREZ MUÑOZ, transferred from the Bishopric of the Canaries. Cathedral Church of the Canaries, for the Reverend ANGELO MARQUINA CORRALES, Major Canon of the Metropolitan Church of Burgos. Cathedral Church of Orihuela, for the Reverend RAIMONDO PLAZA Y BLANCO, of the Diocese of Cuenca, Auditor of the Tribunal of the Holy Roman Rota of Madrid. Cathedral Church of Vitória, for the Most Reverend Monsignor PRUDENZIO MELO Y ALCADE, transferred from the titular Bishopric of Olimpo. Cathedral Church of Nocera dei Pagani, for the Reverend GIUSEPPE ROMEO, Parish Priest of Catona in the Diocese of Reggio Calabria. Cathedral Church of Lacedonia, for the Reverend Monsignor COSIMO AGOSTINO, Parish Priest of Mammola in the Diocese of Gerace, Chaplain of Honor to His Holiness, and Doctor of Philosophy and Sacred Theology. Cathedral Church of Ceneda, for the Most Reverend Monsignor RODOLFO CAROLI, of Rome, Extraordinary Secret Chamberlain of His Holiness, Rector of the Lombard College of Rome, Official of the Holy Congregation of Religious, Doctor of Sacred Theology and Canon Law. Church of Saint Michael in Saint Salvador, for the Reverend GIOVANNI ANTONIO DUEÑAS, Canon of the Metropolitan Church of Saint Salvador. Titular Bishopric of Mopsuestia, for the Reverend Monsignor GIACOMO MILANOVA, General Vicar and Canon of the Metropolitan Church of Saint Salvador, Doctor of Sacred Theology and Canon Law.

[*Latin ed. p. 269*]

Sacred Congregation of Cardinals, 269. Cathedral Church of Tulle, for the Most Reverend Monsignor GIUSEPPE MÉTREAU, transferred from the titular Bishopric of Terme. Cathedral Church of Superior, for the Most Reverend Monsignor GIUSEPPE MARIAKOUDELKA, transferred from the titular Bishopric of Germanicopolis. Cathedral Church of Joliette, for the Reverend GUGLIELMO PORBES, Parish Priest of the Church of Saint John the Baptist in Montréal. Cathedral Church of Mont-Laurier in Canada, for the Reverend FRANCESCO SAVERIO BRUNET, Chancellor and Secretary of the Archbishop of Ottawa. Cathedral Church of Noto, for the Reverend GIUSEPPE VIZZINI, of the diocese of Caltanissetta, Professor

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in the Pontifical Roman Seminary, Official of the Sacred Congregation of Cardinals, and Doctor in Philosophy and Sacred Theology. Cathedral Church of Monopoli, for the Reverend NICOLA MONTERISI, Canon and Parish Priest in Barletta. United Cathedral Churches of Potenza and Morsico, for the Reverend Father ROBERTO (born Achille) RAZZOLI, of the Order of Friars Minor, formerly Custodian of the Holy Land. Titular Bishopric of Hippo, for the Reverend GIOVANNI PLAZA Y GARCIA, Master of the School of the Cathedral of Calahorra, and Licentiate in Sacred Theology. Titular Bishopric of Philadelphia, for the Most Reverend Monsignor DOMENICO PASI, Parish Priest of Saint Margaret in Faenza, Doctor in Sacred Theology, Apostolic Protonotary *ad instar participantium*, appointed Auxiliary of the Most Reverend Cardinal Archbishop of Ferrara. Titular Bishopric of Cisamo, for the Reverend ENRICO IOEPPEN, Doctor in Sacred Theology and Military Vicar of the Prussian army. Cathedral Church of Brzesc, for the Most Reverend GIACINTO GAGGIA, transferred from the titular church of Adrumento. Cathedral Church of Jaca, for the Reverend EMANUELE DE CASTRO YALONSO, Canon of the Metropolitan Church of Valladolid. Titular Bishopric of Pentacomia, for the Reverend FRANCESCO D'ASSISI VIDAL YBARRAQUER, Archpriest of the Metropolitan Church of Tarragona, and Doctor in both laws. Titular Bishopric of Germe, for the Reverend ÉDOUARD KOZLOWSKI, of the diocese of Grand-Rapids, appointed Auxiliary of the Archbishop of Milwaukee. Cathedral Church of Eperjes of the Greek-Catholic rite, for the Reverend STEFANO NOVAK, of the diocese of Munkács, Doctor in Sacred Theology. United Cathedral Churches of Belluno and Feltre, for the Most Reverend Monsignor GIOSUÈ CATTAROSSI, transferred from Albenga. Cathedral Church of Lilla, for the Most Reverend Monsignor ALESSIO CHAROST, transferred from the titular church of Miletopolis. ACTA, volume VI, number 8. — 28-5-914. 20

[*Latin ed. p. 270*]

270 From the Apostolic See - Commentary, Official Cathedral Church of Belleville, for the Reverend ENRICO ALTHOFF, Parish Priest of Okawe Neshville in the same diocese. Cathedral Church of Granada (Nicaragua), for the Reverend GIUSEPPE CANDIDO PINOLYBATRES, of the Archdiocese of Guatemala, Doctor of Philosophy and Sacred Theology. Titular Bishopric of Torone, for the Reverend ISIDORO CARRILLO, Rector of the Seminary of León (Nicaragua), Auxiliary to the Archbishop of Managua. Cathedral Church of St. Gallo, for the Reverend ROBERTO BURKLER, Canon of the same Cathedral, Rector and Professor of the Seminary. Cathedral Church of St. Martha, for the Most Reverend Monsignor FRANCESCO CRISTOFORO TORO, transferred from Socorro. Cathedral Church of Limoges, for the Reverend ETTORE GUILLIET, of the diocese of Arras, Professor at the Catholic University of Lille and Doctor

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of Sacred Theology. Titular Bishopric of Adrumento, for the Reverend GIOVANNI MARIA BOUR of the Church of St. Francis de Sales, and Doctor of Theology, Auxiliary to the Archbishop of Lyon. CHANY, Parish Priest. Titular Bishopric of Archelaide, for the Most Reverend Monsignor MODESTO AUGUSTO VIEIRA, transferred from St. Luigi de Caceres and Auxiliary to the Archbishop of Marianna. Titular Bishopric of Gerapoli, for the Reverend LODOVICO I. O' LEARY, Episcopal Chancellor of Chatham, Doctor of Sacred Theology and Canon Law, Auxiliary to the Bishop of Chatham. Titular Bishopric of Terme, for the Most Reverend Monsignor GIUSEPPE GREGORIO ROMERO, Archdiaconal Canon and General Vicar in Salta, Auxiliary to the Bishop of Salta. Cathedral Church of Fossombrone, for the Reverend PASQUALE RIGHETTI, General Vicar of Brugnato and Archdeacon of the Cathedral Church. Cathedral Church of Samogizia, for the Reverend FRANCESCO KAREWICZ, Canon of the Metropolitan Church of St. Petersburg and Doctor of Sacred Theology. Cathedral Church of Arassuahy in Brazil, for the Most Reverend Monsignor SERAFINO GOMES JARDIM, of the diocese of Diamantina. Cathedral Church of Ariano, for the Reverend Father ONORATO (in baptism Giovanni) CARCATERRA, of the Order of Friars Minor, formerly Custodian of the Holy Land and Lecturer in Sacred Theology. Cathedral Church of Verdun, for the Reverend CARLO GINISTY, Archpriest of St. Affrico in the diocese of Rodez and Doctor of Sacred Theology. Having concluded the reading of the appointments to the Churches, the Eminent Cardinal P O M, approaching the Papal Throne, made his oblation to the presbyteral title of St. Mary in Aracoeli, which had become vacant by the oblation of the Eminent FALCONIO of Velletri. PILJ.

[*Latin ed. p. 271*]

£. The Consistorial Congregation.

Equally, the Eminent Cardinal Camerlengo of the Holy Roman Church, and the Eminent Cardinals VANNUTELLI, SERAFINO, and FALCONIO, who had ascended to the Papal Throne, pronounced the customary oath. Rome, 28th of May, 1914.

His Holiness, Our Lord Pope Pius X, held a Public Consistory this morning in the Vatican Apostolic Palace, in order to bestow the Cardinal's hat upon the Eminent and Reverend Lords Cardinals: DEHORNIG, appointed in the Consistory of the 9th of December, 1912; BÉGIN, SERAFINI, DELLA CHIESA, DE BETTINGER, SÉVIN, DE HARTMANN, TECCHI, GIUSTINI, LEGA, and others appointed in the secret Consistory held last Monday.

For this purpose, the Eminent and Reverend Lords Cardinals mentioned above assembled at 9:15 AM in the Pauline Chapel, where the usual motets were performed by the Papal Chapel singers, and there, in the presence of the Eminent and Reverend Lords Cardinals, Heads of Orders, Chancellor of the Holy Roman Church, and Camerlengo of the Sacred College, they

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took the oath according to the Apostolic Constitutions.

Meanwhile, at precisely 9:30 AM, His Holiness descended, accompanied by His Noble Court and His Noble Guard, and escorted by the Swiss Guard, to the first Loggia, from which He proceeded to the Hall of Vestments, where the Eminent and Reverend Lords Cardinals were awaiting Him.

Having donned the Sacred Vestments and the Mitre, he emerged into the State Hall, where he ascended to the Papal Throne, in order to proceed to the Hall of Beatifications, where the solemn ceremony was to take place.

Preceding His Holiness were the various Colleges of the Roman Prelature, the Secretary of the Sacred Congregation of Rites, the Promoter of the Faith, the Consistorial Advocates, and the others who customarily attend the solemn papal functions, the Honorary and Secret Chamberlains of Sword and Cloak, and finally, the Sacred College of the Eminent and Reverend Lords Cardinals.

Immediately preceding and following the Papal Throne were the Commanders of the Gendarmerie, the Honorary Palatine Guard, the Swiss Guard, and the Noble Guard; the Reverend Monsignors, Secret Almoners and Sacristans, the Master of the Sacred Hospice, the Chief Treasurer, His Excellency, the Reverend Monsignor Anthony Sabatucci, titular Archbishop of Antinoe and General Auditor of the Reverend Apostolic Chamber, and a numerous number of other Italian and foreign Archbishops and Bishops.

As His Holiness passed through the State and Royal Halls, where the Palatine Guard was on parade, He blessed the assembled crowds, including GASQUET.

[*Latin ed. p. 272*]

272 Acta Apostolicae Sedis - An Official Commentary, largely composed of representatives from various dioceses and cities, sent to congratulate the newly appointed Cardinals and to attend today's ceremony. Upon entering the hall, which was also crowded with people, the HOLY FATHER was greeted by the singing of "Tu es Petrus," performed by the Papal Choir, under the direction of their Perpetual Director, Monsignor Lorenzo Perosi. In the hall, attending the ceremony from their respective tribunes and sections were the Most Reverend Sisters and Niece of HIS HOLINESS, His Excellency, the Grand Master of the Sovereign Military Order of Malta, with the Commanders and Knights of the Order's Council, the Most Reverend Diplomatic Corps accredited to the Holy See, with the Ladies, the Patricians and Nobility of Romana, the representative of the Order of the Holy Sepulchre in Romana, with some Knights of the Order, the various delegations that had come to Romana for the occasion, and who had already, yesterday, witnessed the imposition of the biretta upon the new Cardinals. The HOLY FATHER, having arrived at the end of the hall, descended from

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the sedia gestatoria and ascended to the throne, upon which, seated, He received the obedience of the Most Reverend and Most Illustrious Cardinals, while the Papal Choir performed two more motets for the occasion. Meanwhile, some of the Most Reverend and Most Illustrious Cardinals, Priests and Deacons, went to the Sistine Chapel to receive the newly appointed Cardinals and escorted them to the Consistory Hall, where they presented themselves to the Throne of HIS HOLINESS, kissed His foot and hand, and received His blessing; then, embraced by their colleagues, they took their places in the benches reserved for the Sacred College. Afterwards, after the third address by the Consistorial Advocate, they returned to the Papal Throne and received the Cardinal's biretta, which HIS HOLINESS, assisted by the Prefect of the Pontifical Ceremonies and the other Masters of the same College, presented to them with the customary formalities. During this ceremony, the Consistorial Advocate, Commendatore Virginio Iacoucci, spoke for the third time in favor of the cause for beatification and canonization of the Venerable Servant of God, Giuseppe Cafasso, a secular priest of Torino. After this address, Monsignor, the Promoter of the Faith, stated that HIS HOLINESS should first submit the aforementioned cause to the Congregation of Sacred Rites, and then the Holy Father responded: "To Our Congregation of Rites, which shall examine it and report." After this, HIS HOLINESS, having risen from the throne and blessed those present, descended, and, preceded and followed by the Sacred College, together with the newly appointed Cardinals, as well as the aforementioned individuals, in the sedia gestatoria.

[*Latin ed. p. 273*]

The Sacred Congregation Consistorialis returned to the Sala dei Paramenti, from which, after having laid aside the sacred vestments, it ascended with its Noble Court to its apartments. Subsequently, the Most Reverend Cardinals proceeded processionally to the Sistine Chapel, preceded by the Pontifical Cantors, who sang the Ambrosian hymn; upon the completion of the hymn, during which the newly appointed Cardinals remained prostrate upon cushions, their heads covered with the Cappa, the Reverend Cardinal Dean recited the prayer *super creatos Cardinales*, and as they exited the Chapel, the newly appointed Cardinals received a second embrace from their colleagues. After the public Consistory concluded, the secret Consistory took place, [in the usual hall], in which the HOLY FATHER, after having closed his mouth, as is customary, proposed the following churches to the Most Reverend and Most Illustrious newly appointed Cardinals: The Metropolitan Church of Valencia, for the Most Reverend Monsignor VALERIANOMENENDEZ CONDE, promoted from the Episcopal See of Tuy. The Cathedral Church of Segovia, for the Most Reverend Monsignor REMIGIOGANDÁSEGUIY GORROCHATEGUÍ, transferred from the

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titular church of Dora. The Cathedral Church of Patencia, for the Most Reverend Monsignor RAIMONDOBARBERÀY BOADA, transferred from the titular church of Antedone. The Cathedral Church of Zamora, for the Most Reverend Monsignor ANTONIOALVAROBALLANO, transferred from the titular church of Apollonia. The Cathedral Church of Nantes, for the Reverend EUGENIOLEFERDELAMOTTE, Superior of the College of the Cordeliers in the diocese of Saint-Brieuc. The Cathedral Church of Barcelona, for the Most Reverend Monsignor ENRICOREIGYCASANOVA, Auditor of the Tribunal of the Rota of Madrid. The Cathedral Church of Lérida, for the Most Reverend Monsignor GIUSEPPE MIR ALLESYSBERT, Canon of the Cathedral of Majorca. The Cathedral Church of Tuy, for the Most Reverend Monsignor LEOPOLDOEIJOYGARAY, Canon Reader of Santiago. The titular Episcopal Church of Socorro, for the Most Reverend Monsignor ANTONIOVINCENZOARENAS, General Vicar of the same diocese. The titular church of Licopoli, for the Most Reverend Monsignor GIACOMOTROBEC, transferred from the Cathedral Church of Saint-Cloud. Therefore, HIS HOLINESS announced the provision for the following churches, already made by Bull or Brief: The Metropolitan Church of Managua, for the Reverend GIOVANNIANTONIOLEZCANO, Archdeacon of the Cathedral of León (Nicaragua).

[*Latin ed. p. 274*]

274 Acta Apostolicae Sedis - Official Commentary. Titular Archiepiscopal Church of Larissa, for the Most Reverend Monsignor ANTONIOMARIA, promoted from Viterbo and Toscanella. Metropolitan Church of Toledo, to which is annexed the title of Patriarch of the West Indies, for the Most Reverend Monsignor VITTORIANOGUISASOLAYMENENDEZ, transferred from the Metropolitan See of Valencia. GRASSELLI, Metropolitan Church of La Plata, for the Reverend Father VITTOREARRIEU, Chapter Vicar and Penitentiary Canon of the same Metropolitan Church. Titular Archiepiscopal Church of Sardica, for the Most Reverend Monsignor ANTONIOAUGUSTO INTRECCIALAGLI, promoted from the Cathedral of Caltanisetta, and appointed Coadjutor with the right of succession to the Archbishop of Monreale. Metropolitan Church of Guatemala, for the Reverend Father GIULIANORAIMONDORIO, P., Rector of St. Dominic in the city of Guatemala. VEiRO YJACINTO, Metropolitan Church of Oristano, for the Most Reverend Monsignor ERNESTOPIOVELLA, promoted from the Cathedral of Alghero. Titular Archiepiscopal Church of Cortina, for the Reverend Father TOMMASO ' SHEA, of the Marist order, appointed Coadjutor with future succession to the Archbishop of Wellington. Titular Archiepiscopal Church of Dioclea, for the Most Reverend Monsignor ERRICODOULCET, promoted from the titular Church of Gionopoli. Titular Archiepiscopal Church of Philippopolis, for the Most Reverend Monsignor BONAVENTURA CERRETTI, of the

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diocese of Orvieto, Auditor of the Apostolic Delegation of the United States, appointed Apostolic Delegate of the new Delegation of Australia. Titular Archiepiscopal Church of Pessinonte, for the Reverend Father ROBERTOGUGLIELMO SPENLE, O.P., appointed Coadjutor with future succession to the Archbishop of Adelaide. Cathedral Church of Spokane, for the Most Reverend Monsignor AGOSTINOSCHINNER, formerly Bishop of Superior. Titular Episcopal Church of Carpasia, for the Reverend EUGENIOVANRECHEM, Honorary Canon of the Cathedral of Ghent, appointed Auxiliary Bishop of Ghent. Cathedral Church of Buremonda, for the Reverend Father LORENZOSCHRYNEN, Rector of the Minor Seminary in Rolduc. Cathedral Church of Piauhy, for the Most Reverend Monsignor OTTAVIANOPEREIRADEALBUQUERQUE, General Vicar of Portalegre in Brazil. Cathedral Church of Ilhorianopolis, for the Reverend GIOACCHINODOMINGUESDEOLI, Secretary of the Archiepiscopal Curia of São Paulo in Brazil, and Canon of the Metropolitan Church of the same diocese. VEIRA, Titular Episcopal Church of Prusiade, for the Reverend Father FRANCESCODEAQUINO CORREA, of the Salesians, appointed Auxiliary Bishop of Cuyabá.

[*Latin ed. p. 275*]

Sacred Congregation of the Council, 275. Cathedral Church of Saint Augustine, for the Reverend MICHELEGIUSEPPE CURLEY, parish priest of Deland, and Defender of the Faith within that diocese. United Cathedral Churches of Fabriano and Matelica, for the Most Reverend Monsignor ANDREA CASSULO, General Vicar of Florence, and Canon of the Metropolitan Church. Cathedral Church of Sessa Aurunca, for the Reverend FORTUNATO DESANTA, Canon of the Cathedral of Udine, and Rector of the Seminary. Titular Bishopric of Tubuna, for the Most Reverend Monsignor FEDERICO BENIZIODE SOUZACOSTA, transferred from the Cathedral Church of Amazoni, or Manaos. Titular Bishopric of Sozopoli, for the Reverend TEODORO KAPPENBERG, Canon of the Cathedral of Münster, appointed Auxiliary Bishop of Münster. Titular Bishopric of Tiatira, for the Reverend PIETRO GIUSEPPE LAUSBERG, Canon of the Metropolitan Church of Colonia, and Doctor of Sacred Theology, appointed Auxiliary Bishop of the Archbishop of Colonia. Cathedral Church of Aimere, for the Reverend Father FORTUNATO DATOURS, of the Order of Friars Minor Capuchin, formerly known as Enrico Chaumont, formerly Apostolic Prefect of Rajpootana. Titular Bishopric of Corico, for the Reverend LODOVICO MARTROU, of the Congregation of the Holy Spirit, appointed Coadjutor Bishop with succession to the Apostolic Vicar of Gabon. Titular Bishopric of Bathua of the Syriac Rite, for the Most Reverend Monsignor DOMENICO, Auxiliary Bishop of Monsignor the Syriac Patriarch of Antioch, transferred from the titular Bishopric of Dañaba. TAPPUNI, Titular Bishopric of Magido, for the Reverend

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Father ANDREA LEONZIOGIUSEPPE ELOY, of the Foreign Missions of Paris, elected Apostolic Vicar of the Southern Tonkinese region. Titular Bishopric of Lirba, for the Reverend Father CLETODABALTAGGIA, of the Minor Order of Friars Capuchin, formerly known as Vincenzo Peiov, elected Coadjutor Bishop with future succession to the Apostolic Vicar of Sofia and Philippopolis. Titular Bishopric of Baranda, for the Reverend Father VITTORECARLOQUINTON, of the Seminary of the Foreign Missions of Paris, elected Coadjutor Bishop with future succession to the Apostolic Vicar of Western Cochinchina. Titular Bishopric of Tuburbo, for the Reverend STEFANO LARUE, of the Society of Missionaries of Africa, elected Apostolic Vicar of the new Vicariate of Bangueolo in Central Africa. Titular Bishopric of Lepti, for the Reverend Father LODOVICO DAMOZZANO, of the Order of Friars Minor, formerly known as Giambattista Antomelli, elected Apostolic Vicar of the new Vicariate of Libya. Titular Bishopric of Milopotamo, for the Reverend Father AGOSTINO DAARTESA DESEGRE (formerly known as Giuseppe Bernans and Serra), of the Minor Order of Friars Capuchin, appointed Apostolic Vicar of Guam.

[*Latin ed. p. 276*]

276 Acta Apostolicae Sedis - Official Commentary. Titular Episcopal Church of Mindo, for the Most Reverend Monsignor NEMATA LAH-CARAME, Rector of the Pontifical Maronite College and appointed to the office of Ordainer of Maronite Clergy in Rome. Titular Episcopal Church of Gindaro, for the Reverend Father CARLOGIVELET, S.J., appointed Apostolic Vicar of the new Vicariate of Fianarantsoa in Madagascar. Titular Episcopal Church of Cerra, for the Reverend Father COSTANTE GIOVANNIBEDA PRODHOMME, a student of the Seminary of Foreign Missions of Paris, appointed Apostolic Vicar of Laos. Titular Episcopal Church of Adraa, for the Reverend Father RAIMONDO ZUBIETA, of the Order of Preachers, elected Apostolic Vicar of Urubamba. Titular Episcopal Church of Copto, for the Reverend Father FRANCESCO HENNEMANN, of the Society of Missions, elected Coadjutor with succession to the Apostolic Vicar of Cameroon. Titular Episcopal Church of Carre, for the Reverend Father GIOVANNI GERALDONEVILLE, of the Congregation of the Holy Spirit, elected Apostolic Vicar of Zanzibar. Titular Episcopal Church of Biblo, for the Reverend Father FRANCESCO WOLF, of the Divine Word, Apostolic Vicar of Togo. Titular Episcopal Church of Parecopoli, for the Reverend Father EVRARDOTERLAAK, of the Congregation of the Immaculate Heart of Mary of Scheut, appointed Coadjutor with future succession to the Apostolic Vicar of Central Mongolia. Titular Episcopal Church of Coracesio, for the Reverend Father GIOVANNI HEAVEY, of the Augustinian Hermits, appointed Apostolic Vicar of Cooktown. Subsequently, HIS HOLINESS, according to

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custom, addressed the newly created Cardinals. Then, HIS BLESSEDNESS received the petitions for the Sacred Pallia for the Metropolitan Churches of Ostia, Toledo, Strigonia, Vienna, Edmonton, Cosenza, Capua, Cagliari, Warsaw, Burgos, Tarragona, San Salvador, Tours, Cambrai, Cashel, Managua, Parahyba, Guatemala, Oristano, Zagreb, Perth, Kollotschau, and Bacs, Salzburg, Valencia, and La Plata, as well as for the Cathedral Churches of Verdun and Barcelona, by privilege. The petition for the Sacred Pallium for the Metropolitan Church of Toledo was presented, on behalf of the Most Reverend Archbishop, His Eminence Cardinal Guisasola, by His Eminence, the Most Reverend Cardinal Antonio Vico; that for the Metropolitan Church of Strigonia, on behalf of the Most Reverend Archbishop Csernoch, by the Most Reverend de Hornig; that for the Metropolitan Church of Vienna, on behalf of the Most Reverend Archbishop Piffl, by the Most Reverend van Rossum; and those for the other Pallia, through the Consistorial Advocates, Comm. Pacelli and Iacoucci.

[*Latin ed. p. 277*]

The Sacred Congregation Consistorial [has decreed] 277. Finally, the Holy Father placed the cardinal's ring upon the aforementioned Cardinals, and assigned: To the Most Reverend Dehornig, the presbyteral title of Saint Agnes outside the walls. To the Most Reverend Bégin, that of the Saints Vital, Gervasius, and Protasus. To the Most Reverend Serafini, that of Saint Cecilia. To the Most Reverend Dellachiesa, that of the Most Holy Four Crowned Martyrs. To the Most Reverend Sévin, that of the Most Holy Trinity at the Pincio. To the Most Reverend Debettinger, that of Saint Marcellus. To the Most Reverend Dehartmann, that of Saint John at the Latin Gate. To the Most Reverend Tecchi, the diaconate of Saint Mary in Domnica. To the Most Reverend Giustini, that of Saint Angelo in Pescheria. To the Most Reverend Lega, that of Saint Eustachius. To the Most Reverend Gasquet, that of Saint George in the Velabrum.

11. DECREE OF NOMINAL EXCOMMUNICATION AGAINST THE PRIEST PHILIPPUS GNAM OF THE LONDONENSIS DIOCESE IN CANADA. As it has always been abhorrent to the Church for clerics to be brought before secular judges in the secular forum by Christian faithful, the sacred canons, both the most ancient, which begin with the very admonitions of the Apostle Paul to the Corinthians (1, chapter 6), and the most severe penalties and sanctions imposed against those who transgress this law, clearly demonstrate and are evident to all. Having recently renewed and confirmed these laws and sanctions, the Most Holy Pope Pius X, by Apostolic Letters dated October 9, 1911, decreed and established the following: "Whoever, whether lay or of the sacred order, brings any ecclesiastical person, whether in a criminal cause or in a civil matter, to a secular tribunal without the permission of ecclesiastical authority, and

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publicly compels them to be present there, shall incur, in every case, a special excommunication reserved to the Roman Pontiff." Now, the priest Philippus J. Gnam, formerly a parish priest of the place called Wyoming in the Lambton County of the LONDONENSIS diocese in the dominion of Canada, with reckless and sacrilegious audacity, disregarding the ecclesiastical tribunals, without any permission, indeed, after salutary admonitions had been given to him...

[*Latin ed. p. 278*]

278 Acta Apostolicae Sedis - Official Commentary: It is to be lamented that, in certain times, the aforementioned canonical law has been violated: indeed, the matter has progressed to such an extent that a priest, who ought to be an example to others and a guardian of ecclesiastical law, without any just title (as the outcome of the case demonstrated), has seized his own Metropolitan Archbishop of Toronto and the Delegate of the Apostolic See before a secular court, in the first and second instances, and has thus incurred the most grievous penalty of excommunication, specially reserved to the Supreme Pontiff. Therefore, for the salutary correction of the aforementioned priest, for the protection of ecclesiastical discipline, for the reparation of scandal and injured justice, by order of the Supreme Pontiff, the present decree declares, denounces, and establishes that the aforementioned priest, Philip J. Gnam, has incurred the penalty of excommunication and is to be avoided by all the faithful, according to the ecclesiastical laws. Given in Rome, from the halls of the Most Holy Congregation Consistorial, on the fourteenth day of May, in the year 1914. f C. CARD. DELAI, Bishop of Sabina, Secretary. L. ® S. I. Bapt. Rosa, Substitute.

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH: Notification.

His Holiness, Pope Pius X, in an audience on the seventh day of May, 1914, graciously accepted the resignation of the Reverend Father John Martin Adam, titular Bishop of Thmuitensis, from the office of Apostolic Vicar of Gabon in Western Africa; and therefore, the Reverend Father Louis Martrou, titular Bishop of Corycensis, lawfully succeeds him in that office.

[*Latin ed. p. 279*]

SACRED CONGREGATION OF RITES.

Regarding the Canonization of the Blessed John Mary Vianney, Parish Priest of Ars.

The joyous memory of that religious celebration still lives on, by which, on January 8th of the year 1905, in the patriarchal basilica of the Vatican, in the presence of the entire Council responsible for safeguarding sacred

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Rites, together with the Chapter and clergy of the basilica itself, and a very numerous people, through Apostolic Letters promulgated in the form of a Brief by Our Most Holy Pope Pius X, the Venerable Servant of God, John Mary Vianney, parish priest of Ars, was rightly enrolled among the Blessed in Heaven; and after the hymn of thanksgiving for graces was alternately sung before the image and relics of the newly blessed, the most sacred sacrifice of the Eucharist was celebrated with a Mass and a proper prayer for the solemnity.

This ceremony of beatification, having been completed in the morning by Apostolic authority, was graced by the presence and piety of the Supreme Pontiff himself, accompanied by sacred purple-robed officials and prelates. In the evening hours, he descended into the same basilica and, kneeling before the altar of the Chair of Saint Peter, devoutly attended the solemn function and the blessing of the Most Holy Sacrament. He also fervently implored the help of the Blessed, whose venerable image, illuminated by glorious rays, shone brightly above, for himself and for the Church.

Since that day, and throughout the year within the boundaries of the diocese of Belligen and other dioceses of France, triduums of festivities in honor of the Blessed John Vianney have been solemnly celebrated, granted by Apostolic Indult. As a result, the devotion and trust of the faithful in him have increased, and new growth has been seen daily through accounts of his life, images, and relics distributed, especially through the benefits and singular miracles that are said to have occurred after the veneration granted to him and through his divine intercession.

With these matters presented, and with the urgent request of the Reverend Father Victor Grosjean, General Procurator of the Society of Missions to Foreign Lands and Promoter of the Cause, and after careful consideration of the documents pertaining to the request for the resumption of this Cause, the Eminences and Reverend Lords Cardinals, Louis Luçon, Archbishop of Rheims, and other Reverend Archbishops and Bishops of France, the Eminence and Reverend Lord Cardinal Dominic Ferrata, Promoter or Relator of the same Cause, in the Ordinary Congregation of the Sacred Congregation of Rites...

[*Latin ed. p. 280*]

On the 280th day of the Acts of the Apostolic See, a collective session, held on the designated day at the Vatican, proposed the following question for discussion: Should a Commission be appointed for the resumption of the Cause, in the case and with the effect under consideration? And the Most Eminent and Reverend Fathers, entrusted with the safeguarding of the sacred rites, after the presentation by the Most Eminent Prefect, and after hearing the Reverend Father Alexander Verde, Promoter of the Holy Faith, having carefully considered the matter, decided to respond: Affirmative, that is, the Commission should be appointed, if it pleases the Most

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Holy [Father]. On April 28, 1914. Subsequently, a report on these matters was made to our Most Holy Lord, Pope Pius X, by the undersigned Secretary of the Sacred Congregation of Rites. His Holiness, approving the decree of the same Sacred Council, deigned to sign the Commission for the resumption of the Cause of canonization of the Blessed John Mary Vianney, Confessor, parish priest of Ars, on May 13, 1914.

Fr. S. CARD. MARTINELLI, Prefect of the Sacred Congregation.

L. & S. Petrus La Fontaine, Bishop of Chariestien, Secretary.

II. REGISTRATION OF THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD JOSEPH MARY OF PANORMO, LAY BROTHER OF THE ORDER OF MINOR FRATI OF SAINT FRANCIS.

The Servant of God, Joseph Mary of Panormo, a lay brother of the Order of Minor Friars of Saint Francis, was born on February 2, 1864, of honest parents, Anthony and Rosa Diliberto, and was baptized on the same day, being given the name Vincent. In his youth, he was less pleasing to his parents, as he was found to be disobedient and unruly; but, as is reported, these weaknesses of his youth were corrected by great virtues. For, after the death of his beloved mother, he made little progress in piety and letters, and, because of his [petulance], he had been expelled from the institution of San Roque de Presidencia Roque Sáenz Peña, where he resided under the care of his father, for the purpose of education and studies; but, happily strengthened by this punishment, he returned to his former life, and, contrary to all expectations, he devoted himself entirely to studies and the cultivation of virtues. Having returned home, where he pursued technical disciplines in public schools, he excelled in talent and diligence, and he strove to deter his classmates from evil by words and examples, and to incite them to good, and was therefore worthy to be called upon by prudent men for ecclesiastical duties. Therefore, in his seventeenth year,

[*Latin ed. p. 281*]

The Holy Congregation of Rites, in its session 281, having noted that the archiepiscopal seminary had made remarkable progress in piety and doctrine, and after having undertaken greater matters, having opened his intentions to the confessor, and having obtained the permission of his parents, at the end of January, in the year 1885, he went to Sortino, and after fifteen days, he was received among the novices of the Brothers Minor of Saint Francis, whom they call Capuchins. He was immediately seen to serve God more diligently and to excel in virtues, so that his superiors and companions were confident that he would become an apostle of great renown. But, contrary to all hope, after a short time, he was seized by a disease of the lungs, and, aspiring to heavenly joys, and calling upon the Virgin Mother of God with filial affection, he peacefully passed away on January 1, 1886, leaving behind a great desire for his own sanctification, along with a reputation for virtue. Meanwhile, the reputation for sanctity

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that the Servant of God had acquired in life, after his death, became so clear and widespread that investigative inquiries were carried out regarding him in the ecclesiastical courts of the Ordinaries of Palermo and Syracuse. After these were completed and presented to the Sacred Congregation of Rites, and after all the necessary legal procedures were observed, at the urgent request of the Reverend Father Joseph Anthony of Saint John in Persiceto, the general promoter of the Order of the Capuchin Minor Brothers, and after attentive consideration of the petitions of certain Eminences of the Sacred College of Cardinals, as well as of many Reverend Sacred Prelates, and of the Chapter and the clergy, especially of the parish and seminary of the city and archdiocese of Palermo, and also at the request of the Reverend General Superior and the entire Capuchin Order, the Eminent and Reverend Cardinal Dominic Ferrata, the Promoter of this Cause, proposed the following question for discussion at the meetings of the Ordinary Congregation of the Sacred Rites, held at the Vatican on a date indicated: "Should a Commission be appointed for the introduction of the Cause, in the case and for the purpose in question?" And the Eminent and Reverend Fathers, Prefects of the Sacred Rites, after hearing the report of the Eminent Promoter, and after hearing the voice and written opinion of the Reverend Father Alexander Verde, Promoter of the Holy Faith, after carefully considering all matters, decided to respond: "Affirmatively, that is, a Commission should be appointed, if it pleases the Most Holy." On April 28, 1914. After all of these matters were reported to the Most Holy Pope Pius X by the undersigned Secretary of the Sacred Congregation of Rites, His Holiness approved the decree of the same Sacred Congregation, and deigned to sign the Commission for the introduction of the Cause of the Servant of God, Joseph Mary of Palermo, novice of the Order of the Minor Brothers of Saint Francis, Capuchins, on May 13, 1914. Fr. S. CARD. MARTINELLI, Prefect; L. S. f. Peter La Fontaine, Bishop of Charystien, Secretary.

[*Latin ed. p. 282*]

Acts of the Apostolic See - Official Commentary III. DECREE CONCERNING APPROVAL AND GRANTING OF OFFICES AND MISSES OF COMMON CELEBRATION FOR CERTAIN CONFESSORS, WHETHER BISHOPS OR NOT, AND FOR GROUPS OF CONFESSORS, AS WELL AS FOR GROUPS OF BOTH MEN AND WOMEN, WHETHER VIRGINS OR NOT. Since in certain particular calendars, several times two or three Saints or Blesseds are listed under the same Common, occurring on the same day and under the same rite, so that they should be commemorated with a single Feast, Office, and Mass, according to the decree of October 28, 1913, humble and fervent petitions have been presented to the Sacred Congregation of Rites by those having such calendars, requesting that, for these cases, new Offices with Masses of Common Celebration be composed and approved, to be suitably inserted in the respective proper

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calendars. Furthermore, the Sacred Congregation, heeding these desires and prayers, having consulted with the most holy Pope Pius X, prepared four Offices with Masses of Common Celebration, namely, for groups of Confessors, both Bishops and non-Bishops, as well as for groups of both men and women, whether virgins or not; and, after diligent completion and revision, it approved them with the authority of the same most holy Pope. Moreover, the power is granted to the Roman Bishops and other local Ordinaries and Superiors of any Order, Congregation, or Institute possessing a particular calendar, to insert the aforementioned Offices and Masses of Common Celebration, according to their prudent judgment, into the respective proper calendars, and once for all to grant, command, and declare obligatory for churches, the clergy, and all other persons bound and subject to the Divine Office, on the designated feasts, either in their entirety, or for that portion which is to be taken from the Common, if another proper is to be observed. For the secular clergy of the venerable City, the same Sacred Congregation, by order of the same most holy Pope, declares that these Offices are to be used obligatorily. Contrary to all things, even those specially worthy of mention, notwithstanding. May 22, 1914. Fr. S. CARD. MARTINELLI, Prefect. L. i$(S. f. Petrus La Fontaine, Bishop of Chariest, Secretary.

[*Latin ed. p. 283*]

Sacred Congregation of Rites, 283 IV, DECREE CONCERNING "PROPER FEASTS, WHICH ARE OBSERVED WITH SPECIAL REASON IN MONASTERIES, CONVENTIONS, OR OTHER RELIGIOUS HOUSES."

In order to promote due uniformity in religious Orders and Congregations with regard to liturgical matters, and to prevent certain inconveniences that might arise from the reform of the general calendars in the provinces, convents, monasteries, or houses of religious, the Sacred Congregation of Rites, having heard the opinion of the Commission established for the reform of the psalter, has decided upon the following:

I. The feasts of Saints of the Order or Congregation, in the churches of the monastery, convent, or house, in which they died, or where their body or notable relics are kept, are to be observed with the double rite of the second class. To the feasts of Blesseds, who have received the honors of beatification solemnly or with equal solemnity, the greater double rite is to be assigned, in the case mentioned above; however, the lesser double rite is to be assigned to the feasts of such Blesseds for the remaining convents, monasteries, or houses of the same religious province, insofar as the Order or Congregation's calendar has assigned to them only the semi-double or simple rite. However, the laws regarding concurrence and collision are to be observed, and the higher rite is to be abolished in the cases mentioned above, if it has been granted.

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II. The feasts of Saints of the Order or Congregation, which are celebrated on a designated day, either throughout the Church or throughout the entire Order or Congregation, are to be observed perpetually on that day, even if a higher rite is appropriate for those same feasts, and even if the title of the proper church or the patron of the religious province is added; however, uniformity is to be maintained with the secular clergy, whenever the same Saints are celebrated as the patrons of principal places or as the titulars of cathedral churches, outside the day assigned for the entire Church or for the entire Order or Congregation, so that uniformity may be maintained between both clergy.

III. The feasts of Saints who are the patrons of principal places or of cathedral churches, are to be observed by religious of both sexes of the same Order or Congregation in the same place with the double rite of the first class, with the Octave, as is the case with the secular clergy. Also, if the feasts of Saints or Blesseds of the Order or Congregation are observed with a rite...

[*Latin ed. p. 284*]

284 Acta Apostolicae Sedis - The Acts of the Apostolic See. An official commentary. Offices pertaining to certain saints or blessed individuals, which are recited by the secular clergy of a diocese or locality, may also be celebrated there by Religious of either sex of the same Order or Congregation, according to the same rite, provided that the Office for such saints or blessed individuals is celebrated in the diocese or locality on the same day, as is customary in the Order or Congregation. IV. Feasts of the Blessed, even if celebrated with a higher rite than that observed throughout the Order or Congregation, must be inviolably observed on the day on which they are inscribed in the general calendar of the Order or Congregation, and the members must not be separated from them; however, the name and deeds of the Blessed themselves, if distinct, should be given precedence over the name and deeds of the members. V. If the feasts of saints or blessed individuals of an Order or Congregation, which have hitherto been celebrated on the day of their death and with a large gathering of the people, are, in the future, to be celebrated on a different day due to a reform of the calendar, the Superior General may permit that a single sung Mass and other readings customary for such feasts be celebrated in the churches, convents, monasteries, or houses in which the same saints or blessed individuals died, or in which their bodies or notable relics are kept, on the aforementioned day of their death, provided that no Feast of Double rank or any of the Double Offices of the first class are observed on that day, or that any of the Offices of Double rank of the first class are impeded. And all these matters have been ordered to be observed by this Congregation, having received instructions from the Most Holy [Pope], to all Religious Orders and Congregations of both sexes that use the Roman

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Breviary. Contrary provisions notwithstanding. May 10, 1914. Fr. S. CARD. MARTINELLI, Prefect. L. ® S. f Petrus La Fontaine, Bishop of Chariest, Secretary.

[*Latin ed. p. 285*]

The Holy Congregation of Rites, Article 285, Volume V, presents the following doubts, submitted for appropriate resolution:

I. What office should be observed by the dioceses of Galliae, which hitherto have not had the Feast of Saint Genovefa, Virgin, inscribed in their diocesan calendar?

II. What office should also be recited in Hispania for the Feasts of Saints Fulgentius, Ildephonsus, and Leander, namely, whether it should be that of Doctors, as has been done up to now, or that of Common Confessors?

III. Whether the revised readings for the Feasts of Saint Felix III, Pope and Confessor; Saint Benedict Joseph Labre, Confessor; Saint Felix of Cantalicia, Confessor; Saint John Baptist de Rossi, Confessor; Saint Hadrian III, Pope and Confessor; Saint Roch, Confessor; Saint Hilary, Pope and Confessor; and Saint Eusebius, Pope and Martyr; as well as Blessed Urban V, Pope and Confessor; Saint Gaspard del Bufalo, Confessor; Saint John Leonard, Confessor; and Saint Victor III, Pope and Confessor, which are found in the recently approved Roman Proper, should or can be adopted by all dioceses or institutes that celebrate these Feasts, which do not have their own proper readings.

IV. Whether it is permissible in the particular Proper to reduce historical readings of the Feasts of the universal Church, which, in the respective calendars, are limited by a more solemn office to a mere commemoration, into a single reading, as has been done in the aforementioned Roman Proper.

And the Holy Congregation of Rites, having heard the opinion of a special Commission, and having considered all matters, decided to respond as follows:

To I: The office approved on January 27, 1853, and hitherto appended at the end of the Breviary for some places, should be adopted.

To II: Nothing should be changed.

To III: It can be done, but it is not required; according to the decision that should be adopted and observed once and for all by the Ordinary or Superior.

To IV: Affirmative, and in such cases, the readings reduced by the Holy Congregation of Rites should be requested.

And thus it was decreed, on May 25, 1914.

[Signed] Fr. S. CARD. MARTINELLI, Prefect.

L. S. Petrus La Fontaine, Bishop of Charyste, Secretary.

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ACTA, Volume VI, page 8. — 28-5-1914. 21

[*Latin ed. p. 286*]

286 Acta Apostolicae Sedis - Official Commentary

SACRED ROMAN ROTA OF CANON LAW.

During the blessed reign of Pope Pius X, in the eleventh year of his pontificate, on the 17th of February, 1914, the Most Reverend and Reverend Fathers Michael Lega, Dean, Ponens, William Sebastiani, and Seraphinus Many, Auditors, in the case of Cremona - Canon Law, between the Lord Eugene Cremonesi, plaintiff, represented by his lawful procurator, Henry Benvignati, and the Lord Archpriest Marcellinus Rebissoni, defendant, represented by his lawful procurator, advocate Carmel Conte, pronounced the following final judgment.

In the town called Saint John, in the diocese of Cremona, besides the parish church, dedicated to the Nativity of Saint John, there exists a chapel under the title of the Most Holy Trinity; and the present question, first, concerns the independence, or lack thereof, of this chapel from the parish church; therefore, the following question was posed for consideration: Is the chapel of the Most Holy Trinity in the town of Saint John in the Cross, independent from the jurisdiction of the parish in this case?

Furthermore, another question is proposed in the present action, because the parish church, by a Bull of Pope Innocent XIII, dated September 4, 1722, was raised to the dignity of a collegiate church, with a college of canons founded therein, over which the parish priest presided with the dignity and title of archpriest canon. Through laws enacted by Napoleon I, Emperor and King of Italy, this collegiate church suffered the loss of its property in the year 1810, with the civil laws considering it suppressed and extinct. I say, civil laws, provided that the ecclesiastical authority never ratified or confirmed such a loss, although it could not prevent the necessary consequences resulting from the decree of civil power. From the time that such a decree was put into effect, the canons who still held benefices, having abandoned the parish church, began to celebrate services in the chapel of the Most Holy Trinity, from which it appears that the opinion, or tradition, arose that the collegiate church had been trans-

[*Latin ed. p. 287*]

The Roman Rota, in its judgment, has considered the aforementioned oratory, all the more so because a small bell, formerly from the parish church, has been transferred to the oratory's bell tower, and also because certain utensils, belonging to the collegiate church, such as a processional cross, are present. However, it is beyond doubt that, at the time of the decree of suppression, the collegiate church came under the effect of the law, and the

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benefices, as their holders died or otherwise relinquished them, were considered extinguished, and their revenues were claimed by the patrons, with due regard, it seems, for the pious will of the founders. Indeed, at the request of the patrons themselves, the Ordinary of Cremona, in the year 1833, united two benefices established in the aforementioned collegiate church, one under the title of Saint Joseph, the other under the invocation of Saint John the Baptist, with the intention that such benefices, when united, "shall always be conferred upon one chaplain who shall reside in the parish of Saint John in the Cross of the same place, celebrate the festive Mass in the oratory of the Most Holy Trinity of the same place, assist the sick, and assist in ecclesiastical functions, respectively." This benefice, resulting from the union of two prebends, is currently held by Eugenius Cremonesi, the plaintiff in this case, who argues that, as the sole surviving member of the ancient collegiate church, which has never been suppressed by competent ecclesiastical authority, he is entitled to all the remaining revenues of that same collegiate church. Therefore, the following question is proposed: Does the priest Eugenius Cremonesi, as chaplain of the aforementioned oratory, to whose benefice two prebends of the same collegiate church, formerly existing in the parish church of Saint John in the Cross, have been united, have the right to receive the revenues of other benefices of the same collegiate church, in this case? It is not necessary to specify the nature and extent of the goods that the plaintiff claims, as these matters would be clarified in the execution of the judgment, should this be favorable to the plaintiff; however, it has been stated that the patrons are still in possession of certain goods derived from the patrimony of the collegiate church, and therefore they make annual donations in the parish church and also provide revenues in compensation for a parochial assistant. Furthermore, the judges wished to note, with respect to the second question, that the matter cannot concern the revenues of five benefices that were established in the parish church. Indeed, the benefices are of a different order, for three are canonical prebends, and two are simple benefices. Therefore, since the Reverend Cremonesi holds two canonical prebends, he can only claim, as a canon, a portion of the third vacant canonical prebend. Furthermore, it is not irrelevant to point out, although this is not directly included in the current question, that the plaintiff also claims...

[*Latin ed. p. 288*]

288 Acta Apostolicae Sedis - Commentarium Officiale: The independence is not from the parish, but from the diocesan curia, specifically concerning matters in which the ancient collegiate church was immediately dependent on the Holy See by the law of its foundation, and it seeks to enjoy this law, since the rights of the collegiate church are now concentrated in the sole surviving member. And now, each of the two questions must be considered separately. Regarding the controversial independence of the

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oratory from the parish church, it is necessary to consider the origin of the oratory. It is reported that it was begun to be built in the year 1596 and was not yet completed at the beginning of the year 1602, and that it replaced the site of an old oratory that had collapsed into ruins. In this place, there was a certain sodality, commonly called a consortium, dedicated to the Blessed Virgin; which was then transferred to the parish church, and in the oratory, a sodality called the Society of the Holy Trinity, or otherwise, under the title of the Society of Disciplinants (commonly called the "Disciplini of God"), was established, which is affiliated with the archsodality of the Holy Trinity in the City, and shares its statutes. Therefore, in the very matter of the fact, it is best to note the close connection that has always existed between the parish church and the oratory, since the aforementioned sodalities, previously established in the parish church, have, over time, transferred themselves to the oratory, or vice versa. It should also be noted the transfer of the collegiate canons from the parish church to the oratory, which, as all the circumstances of the case explain, took place not in order to change the canonical seat of the college, but in order to more easily avoid the inconveniences that would have been imposed on the canons if they had continued to perform divine services in the parish church. This is so true that, by virtue of these laws, the prebends gradually disappeared, and, as has been narrated, in the year 1833, the union of two canonical prebends was decreed in order to establish in the aforementioned oratory a benefice of assistance for the parish of Saint John in the Cross. The historical reason for the origin of this oratory seems not to be separated from the circumstances of the place, or from the necessity of the faithful parishioners who live in greater numbers far from the parish church, and who, near the oratory, can conveniently perform divine functions. For this reason, a decree was issued by Bishop Spaciano, who ordered in the year 1602: "Because of the distance from the houses to the parish church, we order that in this church (namely, in the oratory) Christian doctrine be taught to the girls on all feast days, for which the rector will choose suitable women..." etc. Since the union of the two canonical prebends in the year 1833, the connection between the oratory and the church has become even closer, to which it is entirely...

[*Latin ed. p. 289*]

The Roman Rota, in case 289, assigned a subsidy, with the assistance of a chaplain who was appointed to provide coadjutor services. The question to be considered is one of law. However, a certain rule is derived from chapter II, concerning monastic chapels, and the final chapter, concerning the offices of archdeacons, in the Decretals of Gregory IX, namely that a parochial church does not have a legally established intention regarding the subjection of another church located within the limits of its parish, except with regard to parochial rights. This is the common opinion of the

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Doctors. Thus, Fagnan, in chapter "Aud." concerning churches; Schmalz, concerning monastic chapels, number 17; De Luca, discourse 31, number 6, concerning parishes; and the jurisprudence of the Most Holy Office, in Aversa, Funeral, case against Coccino, June 23, 1634; Bisinianen, "Praeeminentia r. c." Ansaldo, February 10, 1710, in the decision against Molines, July 3, 1705, and June 12, 1713, and in many other decisions of the Most Holy Office. De Bonis, concerning public oratories, chapter 8, number 135 and following. Whether a cathedral church has any intention, and of what kind, regarding such a subjection of a lower, non-parochial church, was debated in the case against me in Susa, on April 6, 1909, and in the case against R. P. D. Prior, also in Susa, on May 5, 1910. Therefore, an oratory belonging to the Most Holy Trinity is not presumed to be subject to the parochial church and to receive a subsidy from it, as argued by the archpriest of St. John the Baptist, unless he proves it, overcoming the contrary presumption. Nor is the decree of the Bishop of Spacian proven, which states that the sacred catechism must be taught to girls in that oratory; for the celebrated decree of the City and the World, in 1703, fully confirmed and better determined the rule previously explained, and to the question "Can a parish priest, without the consent of the confreres, teach Christian doctrine in the aforementioned churches and public or private oratories, which are divided and separated from the parish?" it answered: "No." But this question, proposed to the Sacred Congregation, had a different solution, directly concerning not the rights of parish priests, but the faculties of the Ordinary Bishop; indeed, to the question "Should the practice of catechism and teaching girls in the venerable church of the Confraternity of St. Mary of Humility, called the Forty Hours, of the city of Mantua, be removed?" the Sacred Congregation answered on August 23, 1742: "No." What was the intention of the Holy Congregation is evident from the answer given on August 29, 1733, for when the question was proposed, whether the rector of a certain non-parochial church "is obliged to allow the parish priest to teach Christian doctrine in the said oratory, or can he prevent this?" the answer was: "At the discretion of the Ordinary." Therefore, in our case, the Lords said that, since the Ordinary himself issued the aforementioned decree, he used a faculty that, in general, the decree of the City and the World of 1703...

[*Latin ed. p. 290*]

290 Acta Apostolicae Sedis - The official commentary states that, in any case of necessity, the matter should be attributed to the bishop, as the Most Holy Council decided. However, the immunity or independence of the lower church must be respected in matters of law. Therefore, it cannot be argued that this decree of the Bishop of Spaciani favors the parish church, as the archpriest contends. But other arguments exist that demonstrate his intention. Furthermore, as has already been noted in explaining the facts

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of the case, the church of the Most Holy Trinity has always served the parish church, stemming from the reason for its origin, since it was built in the very town where the population was more numerous, and therefore located a distance of almost a thousand paces from the parish church, so that it was not without great inconvenience to access the parish church and to participate in the sacred functions and sacraments there. Consequently, as is stated in the aforementioned church, and as the attached documents prove, the most holy Sacrament of the Eucharist is kept there, which, by its very nature, cannot be kept according to common law, or without an apostolic indult, except in parish churches, as is affirmed in the decree Urbis et Orbis 1703 ad XXIV. It is, however, possible to keep it in filial churches, or in those churches that are subsidiary to the parish, according to the common teaching of the Doctors and the constant jurisprudence of the Holy Congregations, as is evident from the response of the Most Holy Council in Catacen., Parochialitatis, October 1706, and of the Most Holy Congregations of E.E. and R.R. in Composteli., November 15, 1890, in Collect. S. C. de Propaganda Fide, published in 1893, n. 2165 (cf. Gasparri, De Ssma Eucharistia, n. 976). Furthermore, the vicissitudes of the sodality under the title of the Most Holy Trinity, which moved from the parish church to the church, now called the Most Holy Trinity, and from this church to the parish church, and the transfer of another sodality, or association, named after the Most Holy Virgin Mary; and finally, the transfer of the canons who, since they could not safely and conveniently perform their choral functions in the parish church, offered themselves to the church of the Most Holy Trinity, while the archpriest, the parish priest or the president of the Chapter, remained in the parish church; all these things clearly demonstrate that a close connection existed between one church and the other, and that the other church, from its origin, assumed the nature of a subsidiary or auxiliary church with respect to the parish church. This conclusion is confirmed by two other arguments. Firstly, because the Fabric of the parish church came under the jurisdiction of this oratory, which it could not have done unless the oratory itself was under the jurisdiction of the parish church. Therefore, in a document drawn up in 1887 by the Fabric of the parish, it could publicly state: "In addition to all this, since the Society of Discipline was dissolved, that Church..."

[*Latin ed. p. 291*]

The Roman Rota, number 291, states that the administration of the property was transferred to the parish fabric, which "always, and still does, take care of the preservation and maintenance of the property, provides it with oil, wax, and all the necessary supplies for the exercise of worship, pays the personnel serving it, and in short, includes it among the parish assets, of which it was entrusted with the administration and always rendered accounts to the governing authority." Therefore, it is not permissible to

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doubt the knowledge and truth of these matters; for the municipality, to whose interests it was most closely connected, could more easily detect falsehood. Consequently, from the year 1834, indeed from the very time of the suppression of the Society of Disciplinary Priests, the chapel of the Most Holy Trinity was considered to be dependent on the parish church, indeed, as belonging to it. This implies that the parish priest was free to perform any functions in this chapel, and that it was considered, so to speak, a parish chapel. This was also known publicly, as the report of 1887 states: "From that time until today, it is well known that in this church, the parish priest, and for this reason his vicar, teach the doctrine to the people on every feast day, and explain the Holy Gospels, give blessings to the people, celebrate Masses for the convenience of the population, administer the sacraments of Confession and the Eucharist, and have always been directed, supervised, and operated by the parish priests." Furthermore, since this chapel was not included in the laws abolishing the institutions of Emperor Joseph II, it must be inferred that it had been recognized as a subsidiary church, otherwise, the unjust decrees would not have been avoided. This conclusion, which admits of no further doubt today, is confirmed by the present situation, in which a priest who holds canonical benefices must exercise the office of parish chaplain, as decreed in 1833, so that "this chaplaincy is conferred upon one chaplain who resides in the parish of St. John in the Cross, and who is required to celebrate the festive Mass in the chapel of the Most Holy Trinity of the same place, at a time designated by the parish priest, and to assist the same parish priest in religious instruction, in caring for the sick, and in ecclesiastical functions." Indeed, the actor Eugenius Cremonesi has held this assistantship for 37 years; but today he claims that the union made by the Bishop of Sardinia, de Koenstein, is of no value, and that he possesses ancient canonical benefices, legitimately founded in the church of St. John in the Cross, and then legitimately transferred to the church of the Most Holy Trinity. - However, with regard to the first assertion, namely that the union is of no value, the aforementioned have stated that this cannot be proven, since, on the contrary, it can easily be shown that this union today enjoys full legal authority and force.

[*Latin ed. p. 292*]

292 Acta Apostolicae Sedis - It is not ambiguous that it pertains to the authority of the Bishop to unite benefices, as taught by Schmalzg., de praeb, et dign., n. 174; Leuren., For. eccles., part. III, q. 901, n. 1; Pirhing, h. t., n. 205; Garcías, de benef., part. 12, c. 2, n. 162. However, the union of dioceses, and in general of consistorial benefices, is reserved to the supreme authority of the Roman Pontiff, as stated in C. 8, de excess, proel. 1. V, Decret. Gregor. IX. It does not impede that the prebends were canonical, and that through their union, the collegiate church itself might be extinguished, which is not within the competence of the Bishop. Nor does it impede what Lotter

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teaches, de re benef, 1. I, q. 34, n. 51, namely, that the Bishop cannot, by his own authority, change the status of a benefice when the status of that benefice has been established and determined by the Pope himself (as in this case). For indeed, these prebends were so meager that no one could be found willing to accept them, and therefore, the Bishop can unite these prebends, even if they are canonical, as Schmalzg. teaches, l. c., n. 185, because it is a case of necessity, and therefore there is a just cause for the union. Furthermore, it is inferred from the text of the decree of union that the intention of the Bishop was to effect a union that would extinguish the titles, where these two benefices are called "canonical" and are united to form a benefice for a coadjutor. If it were objected that the consent of the Chapter was lacking, or that it was not apparent that it had been obtained, as the law demands, the union would be invalid, as stated in c. 2, de rebus eccles, alien., in Clement.; Conc. Trid., sess. 21, cap. 5, de reform.; Schmalzg., h. t. n. 187. The Lords have noted that the consent of the Bishop was obtained, as can be argued from the very words of the decree: "visis videndis" and "peractis peragendis." It should also be noted that Benedict XIV teaches that in many places, Bishops have prescribed against the authority of their own Chapters in matters concerning the seeking of advice or consent from the Ordinaries. However, it is true that this defect, or lack of consent from the Chapter, may have infected the act of union from the beginning, and perhaps another defect was not lacking, namely, that this union could not have been effected by the Bishop by ordinary power, as is asserted in the very decree of union; because the matter concerned the suppression of the prebends, and implicitly, the collegiate church itself; and this exceeds the ordinary authority of Bishops. But even in this, there is doubt, or whether the Bishop had this power in this case, due to the insufficient revenues of the prebends, as noted before. In addition, it is not irrelevant to note the particular conditions in which these provinces were then situated, after the overthrow of public order following the reign of Emperor Napoleon I, so that it may be inferred whether it was due to the concordat laws that civil power intervened between the Church and the State, or due to pecuni...

[*Latin ed. p. 293*]

The Roman Rota has granted permission, and it is understood that the power of the Ordinaries has been increased, so that they may better address the needs of the times. These considerations certainly would not have dispelled all doubt and anxiety, unless a remedy were provided by law to ensure that the ownership of property is not always uncertain, as stated in 1. 1, concerning usurpation and prescription, in the Digest, or the Code. Furthermore, the Lords have stated that the rule of law XVIII in VI does not apply: "What is defective in law from the beginning cannot be validated by the passage of time." For the defects are not healed by the mere passage of time, unless there is also continuous possession in a certain manner

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and for a certain time, hence the rule 3 of law in VI: "Without possession, prescription does not proceed." But in our case, it is not permissible to doubt that there has been possession, and that it has been legitimate and continuous in good faith; because for 80 years, the union has been decreed, and it is customary for a benefice to be conferred in this manner, and it has been peacefully received and possessed without any contradiction, so that only today does Eugenius Cremonesi, who possesses the benefice itself, raise the question of the legitimacy of the union, having possessed it for 37 years. Because there is a title or decree of union, the time required for prescription in such immovable property is 40 years. See arguments cc. 4, 6, 8, 9 concerning prescription in Decret. Gregor. IX; with the exception only of the Church of Rome, to which prescription is applied within a period of one hundred years. It cannot be said that the title was defective, and therefore that prescription cannot be invoked, because it is better not to have a title than to have a defective one. For the defects of this title, as we have seen, are not certain and evident, and therefore it is permissible to presume the contrary, and in this case, prescription is helpful. See Reinffenst., de praescripta, no. 143, and Pirhing, h. t., no. 95. Moreover, since 80 years have elapsed since the decree of union, there is more than enough time for the necessary period of prescription. In the decree of union, the dependence of the church on the Most Holy Trinity and on the parish church is simultaneously ratified and confirmed; therefore, the decree of union or the constitution for the appointment of a coadjutor, for the time that it was issued, presupposes that the church was already a subsidiary of the parish church. Today, whatever may have been the condition of this church at that time, this dependence cannot be called into question, because the coadjutor benefice necessarily implies and has legally established such dependence. This conclusion completely resolves the question of the first doubt, because it demonstrates the dependence of the oratory on the parish church, but it also...

[*Latin ed. p. 294*]

294 Acta Apostolicae Sedis - Official Commentary on the solution of the second doubt, because Eugenius Cremonesi, insofar as he is a parochial assistant, possesses the standing necessary in this judgment; therefore, if his assertion were true, that the union of benefices is not sustainable, nor would the collation made to him be sustainable, and consequently, he would have no standing in the judgment. However, as has been demonstrated, the parochial benefice fully enjoys its value, and in no way can its constitution be impugned; therefore, today Eugenius Cremonesi cannot in any way claim canonical rights, even if any such rights existed. Therefore, having diligently considered and pondered all of these things, invoking the name of Christ, We, the Auditors sitting for the tribunal, and with only God before our eyes, declare, pronounce, and

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definitively sentence, responding to the two proposed doubts: Negatively to both. Furthermore, We declare that the judicial expenses have been compensated between the parties. Thus We pronounce, commanding the local Ordinaries and officials of the tribunals to whom this pertains, to order the execution of this Our definitive sentence, and against those who resist, to proceed according to the norms of the sacred canons, and especially chapter 3, session XXV, concerning reform, of the Council of Trent, employing the executive and coercive means that they shall judge to be more effective and appropriate for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 17th of February, 1914. M. Lega, Dean Presiding. G. Sebastianeiii. S. Many. L. $ S. From the Chancery of the Holy Roman Rota, 18th of March, 1914. Sac. T. Tani, Notary.

[*Latin ed. p. 295*]

Apostolic Signature 295. The Apostolic Tribunal of Thelesina, also known as Gerretana, concerning the restoration to integrity and rights between the Reverend Fathers Anthony Ladanza and Adolphus Leone, pastors of the town of Solisopaca, represented by their legitimate procurator, Father Aloysius Lavitrano, advocate, and the Collegiate Church of the Most Holy Body of Christ of the same town, represented by their legitimate procurator, Father Nazarenus Patrizi, advocate.

In the town of Solisopaca, within the diocese of Thelesina, there exist two parishes, each within its own proper boundaries, one dedicated to Saint Martin the Bishop, and the other to Saint Maurus, and both pastors enjoy the title of archpriest. Indeed, as the population of the town increased, and the aforementioned pastors were unable to adequately meet the spiritual needs of the faithful, the decision was made to construct a church in a more convenient location, and in the very center of the town, generously funded by the contributions of the inhabitants and the municipality, in order to more safely promote the salvation of souls. This church, which appears to have been founded in the 16th century or at the beginning of the 17th century, was dedicated to the Most Holy Body of Christ. From its very beginning, all the clergy born in the town of Solisopaca were attached to this church, so the church has always been a Collegiate Church. Nevertheless, the clergy serving in this church have always assisted the pastors of Saint Martin and Saint Maurus in the care of souls. This Collegiate Church, by ancient custom and exclusively, enjoys the right of burial, and there, and only there, have funerals, exequies, anniversaries, and similar ceremonies been celebrated for at least two centuries; and the people participate in ordinary and extraordinary celebrations, including Sunday sermons, Lenten sermons, and sacred missions. The inhabitants of the town number more than six thousand. The aforementioned pastors, although always exempt from being incorporated into the Collegiate Church, which is governed by its own rector, nevertheless, together with the clergy of the same, are

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admitted to all functions.

[*Latin ed. p. 296*]

296 Acta Apostolicae Sedis - Official Commentary: Moreover, in the aforementioned funerals, the aforementioned parish priest also receives offerings for the right of blessing. Matters had proceeded peacefully for a long time. The clergy of the Receptitia Church had increased so happily that in the year 1800, there were thirty priests participating, through whose assistance the parish priests received considerable relief and help in the care of souls. This concord between the parish priests and the clergy of the Receptitia was never disturbed; nor even after the subversive laws promulgated in the year 1867, which completely abolished the legal status of the Receptitia churches, and which intended to assign their revenues and assets to the municipalities, under certain conditions. Indeed, in the year 1883, the clergy of the Receptitia, through an agreement obtained for the administration of its assets, managed to resolve the matter in such a way that the Receptitia Church of the Most Holy Body of Christ could remain in its original state. The beginning of the controversy must be recounted from the time when the priest Anthony Iadanza, named archpriest of the parish of St. Martin, began to perform all those functions in his parish which were customarily performed in the Receptitia Church. However, when the priests of the Receptitia, or chaplains, interposed a recourse against this action before the Ordinary of Thelese, he issued, on February 1, 1902, a Decree by which the parish priest of St. Martin was forbidden to celebrate funerals, anniversaries, and other such things in his parish; otherwise, he would be suspended from his priestly duties. Against this decision of the Ordinary, the parish priest Tadanza appealed to the Holy Congregation of Bishops and Regulars, asserting that he had the right to perform funerals, exequies, and anniversaries in his parish church. The case was presented in a general meeting held in the Vatican Palace on August 22, 1902, under the question: Whether and how the custom established in the town of Solopaca in favor of the Receptitia Church of the Most Holy Body of Christ regarding the right to remove the deceased, to perform funerals, to celebrate anniversaries, exequies, and other similar functions, should be maintained. The Most Eminent Fathers responded that the Receptitia Church should be maintained in its existing state, and that the concession and the custom arising from it should be preserved; that is, they answered the question posed: Affirmative, according to the vote of the Bishop. However, scarcely a decade had passed when the present parish priests of Sts. Martin and Maur, considering, as they themselves say, the changes in circumstances, which they saw as increasingly detrimental to the Receptitia Church, began to consider the possibility of submitting this controversy to a new examination before the Holy Congregation of Councils. However, since the matter was already judged, it was necessary

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to obtain a judgment for restitution in integrum against the decision of the Holy See.

[*Latin ed. p. 297*]

The Apostolic Signatura of Bishops and Regular Canons, established by a Pontifical Commission, having been presented, this controversy concerning rights between the pastors of the churches of Saints Martin and Maur, and, on the other hand, the church of the Most Holy Body of Christ in the town of Solisopaca, in the diocese of Thelesina, was brought before this supreme Tribunal and thoroughly examined in an ordinary session of the supreme Tribunal held in the buildings of the Vatican on the second day of the current month of May, 1914. And so, Fathers, with the relator being the Most Eminent and Reverend Lord Cardinal Pompilj, and after the doubts having already been presented and agreed upon between the parties, namely: 1. Whether there is a place for restitution in this case? 2. Whether and how the petitions of the pastors should be received in this case? They responded: To 1. Negatively. To 2. As proposed, negatively. Regarding, however, the reform of the statutes of the church of the Most Holy Body of Christ, and other provisions necessary or opportune for the time, this matter pertains to His Holiness. Concerning the judicial expenses, this supreme Tribunal decreed that they should be borne equally by the parties. And thus it was issued, pronounced, decreed, declared, and definitively judged, and it was ordered that this definitive sentence be made public and that it be enforced by all to whom it pertains, not only, but also by all. Given in Rome, from the buildings of the supreme Apostolic Signatura Tribunal, on the 22nd day of the month of May, 1914. Nicholas Marini, of the Secretariat. L.©S. Joseph Pomari, Secretary of the Tribunal.

[*Latin ed. p. 298*]

298 Acta Apostolicae Sedis - Commentarium Officiale DIARIUM ROMANAE CURIAE SEGRETERIA DI STATO NOMINE: By means of letters from the Secretariat of State dated May 1914, the Holy Father deigned to designate the following noble Guards to carry, as Cabinet Messengers, to the aforementioned Prelates residing abroad, who will be invested with the Sacred Purple in the secret Consistory of the 25th of the current month, the news of their elevation to the Sacred Purple, together with the Cardinal's biretta: Mr. Count Enrico Paolini to Most Reverend Vittorio Guisasola y Menendez, Archbishop of Toledo. Mr. Francesco Alessandroni, a nobleman, to Most Reverend Giovanni Csernoch, Archbishop of Strigonia. Mr. Marquis Pietro Pellegrini Quarantotti to Most Reverend Gustavo Piffl, Archbishop of Vienne. By means of letters from the Secretariat of State dated May 18, 1914, the Holy Father likewise deigned to designate the following Illustrious and Reverend Monsignors to carry, as Apostolic Delegates, the Cardinal's biretta to the aforementioned Prelates: Most Rev-

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erend Alberto Arborio Mella di S. Elia, Secret Chamberlain in attendance to His Holiness, to Most Reverend Vittorio Guisasola y Menendez. Most Reverend Beniamino Nardone, Secret Chamberlain extraordinary to His Holiness, to Most Reverend Giovanni Csernoch. Most Reverend Francesco Cherubini, Secret Chamberlain extraordinary to His Holiness and Secretary of the Holy Congregation of Religious, to Most Reverend Gustavo Piffl. By means of letters from the Secretariat of State dated May 28, 1914, the Holy Father Pius X benignly deigned to assign the following Sacred Congregations to the new Eminences and Reverend Cardinals, who in the Consistory of the same day received the Cardinal's hat: To Cardinal Carlo de Hornig, the Sacred Congregations of the Council and of Propaganda Fide for the affairs of the Oriental Rite.

[*Latin ed. p. 299*]

Diarium Romanae Curiae 299. To the Most Reverend Cardinal Ludovico Nazareno Bégin, the Sacred Congregations of Religious Orders and of Propaganda Fide. To the Most Reverend Cardinal Domenico Serafini, the Sacred Congregations of the Index and of Extraordinary Ecclesiastical Affairs. To the Most Reverend Cardinal Giacomo Della Chiesa, the Sacred Congregations of the Council and of Ceremonies. To the Most Reverend Cardinal Francesco de Bettinger, the Sacred Congregations of the Sacraments and of Rites. To the Most Reverend Cardinal Ettore Ireneo Sévin, the Sacred Congregations Consistorial and of Studies. To the Most Reverend Cardinal Felice de Hartmann, the Sacred Congregations Consistorial and of the Sacraments. To the Most Reverend Cardinal Scipione Tecchi, the Sacred Congregations Consistorial and of Rites. To the Most Reverend Cardinal Filippo Giustini, the Sacred Congregations of the Sacraments and of Extraordinary Ecclesiastical Affairs. To the Most Reverend Cardinal Michele Lega, the Sacred Congregations of the Council and of Studies. To the Most Reverend Cardinal Aidano Gasquet, the Sacred Congregation of Religious Orders and the Pontifical Commission for Biblical Studies. With letters from the Secretariat of State, the Holy Father deigned to appoint: May 13, 1914. — Mr. Giuseppe Biroccini, Mr. Carlo Patriarca, and Monsignor Carlo Salotti, Consistorial Advocates. May 16. — Monsignor Domenico Gallucci, titular Archbishop of Costanza; the Reverend Father Ermanno Schwartz of the Regular Canons of the Lateran Palace; and the Reverend Father Rocco de Sanctis of the Congregation of the Most Holy Redeemer, Consultors of the Sacred Congregation of Propaganda for affairs concerning the Eastern rites. With Apostolic Briefs, the Holy Father deigned to appoint: Domestic Prelates of His Holiness: April 16, 1914. — Monsignor Emilio Massé, General Vicar of the diocese of Troyes. May 7. — Monsignor Francesco Comastri, of the archdiocese of Bologna. May 13. — Monsignor Patrizio

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E. Smyth, of the diocese of Newark.

[*Latin ed. p. 300*]

300 Acta Apostolicae Sedis - Official Commentary

HONORS

With Brief Apostolical letters, the Holy Father deigned to bestow the following honors:

The Order of Saint Gregory the Great, civil class, Commander: May 10, 1914. – To the Reverend Doctor Arturo Thomè, of the archdiocese of Koln.

The Order of Saint Sylvester, Pope, Commander: May 13, 1914. – To the Reverend Knight Giuseppe Brosadola, of the archdiocese of Udine.

The Order of Saint Gregory the Great, civil class, Knight: May 6, 1914. – To the Reverend Tommaso Giuseppe Mac Intyre, of the diocese of Lismore (Australia). May 10. – To the Reverend Michele Rieth, of the archdiocese of Koln. May 15. – To the Reverend Conrado Albert, royal administrator, of the diocese of Passau. – To the Reverend Adriano Slot, mayor of Wevershoef, in the diocese of Harlem.

NECROLOGY

May 17, 1914. – The Most Reverend Monsignor Pietro Leyten, Bishop of Breda.

[*Latin ed. p. 301*]

Year VI. - Vol. VI. June 12, 1914. No. 9. ACTA APOTOLICAE SEDIS. OFFICIAL COMMENTARY. DECREES OF POPE PIUS X. APOSTOLIC LETTERS ESTABLISH PARISHES: SS. HELENA, VIA CASILINA, AND THE CROSS, VIA FLAMINIA.

PIUS, BISHOP, SERVANT OF THE SERVANTS OF GOD, FOR THE PERPETUAL COMMEMORATION:

Since we had long ago resolved to establish the parishes of this venerable City in a new order, so that nothing, with the changing conditions of the state, might impede the fruitful salvation of souls, we have diligently striven to complete this task in recent years. And we believe that we have spared nothing in seeking to provide for the needs of those living in the extreme parts of the City, or beyond its walls; and, when the necessity of the place demanded it, trusting in the providence of God, we have not hesitated to raise up new churches. Among these are the churches of the Holy Cross, Via Flaminia, and of Saint Helen, Via Casilina, which we also ordered to be built, so that they might serve as a notable memorial of the great benefit which, in the sixteenth century, was conferred upon the restored native liberty of the Church of God by the Edict of Constantine, a benefit which is not undeservedly attributed to the power of the Holy Cross, and so that the people of our age, and those who will come after, might remember the most pious mother of Emperor Constantine, who deservedly earned the

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highest praise for her Christian name. With both works happily completed, it remains for us to provide for the spiritual welfare of those who reside in those regions. Therefore, we establish new parishes: one...

[*Latin ed. p. 302*]

302 Acta Apostolicae Sedis - Official Commentary concerning the way of the Holy Cross, via Flaminia, to which we attribute the revenues which formerly belonged to the parish of Saint Mary on the Broad Way, which, by Apostolic Letters entitled "In Ordinandis," dated March 11, 1909, we abolished and extinguished; the other pertains to Saint Helen on the Casilina Way, to which we formerly assigned revenues specifically and exclusively to the parishes of Saints Quiricus and Julitta, extinguished by the same Apostolic Letters. We entrust the definition of the boundaries of both new parishes to the Cardinal Vicar, with the authority of the governing prelate of the City, to whom also it will belong to execute all that we have decreed above. These present letters, and all that they contain, and all the statutes therein, under no circumstance, by any pretext or reason, even if some patron of the parishes, whether clerical or lay, or any other person, should have a right or interest, even by foundation, endowment, or by any other title, in the aforementioned matters or in any of them, and should not consent to them, or if they were called and heard and did not consent, it shall not be possible to allege a flaw of deception, subversion, or any other substantial defect, to impugn them or to bring them into controversy and judgment: but rather, as an office of pontifical prudence; and by our own initiative, with certain knowledge, mature deliberation, and by the fullness of Our apostolic authority, We declare that these are, and shall be, perpetually valid and effective, and shall have and obtain their full and complete effects, and that they shall be inviolably observed by all, removing any, even the brilliant dignity of a Cardinal, from any other faculty of judging or interpreting; and We declare null and void whatever may happen to the contrary, knowingly or unknowingly. Notwithstanding any law that may be questioned, and other Our regulations and those of the Apostolic Chancery, the constitutions and ordinances of Our predecessors, and the statutes and customs of any churches, even patriarchal ones, or of orders and congregations, strengthened by oath and apostolic confirmation, or by any other means, even if, in our own initiative and in other matters, concessions contrary to the foregoing are granted, We expressly hold these and all of them in full force and effect, with the same knowledge and with the fullness of Our apostolic authority, We fully and broadly derogate from them. Furthermore, these present documents, or copies, even printed ones, shall, however, be considered to have the same validity in judgment and outside of it, if they were presented originally, provided they are signed by the hand of an apostolic notary and are secured with the seal of a person constituted in ecclesiastical dignity. Therefore, to no human being whatso-

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ever is it permitted to alter this page of Our designation, institution, attribution, decree, statute, mandate, derogation.

[*Latin ed. p. 303*]

303 The Acts of Pope Pius X forbid infringing upon [his] will, or daring to contradict him with reckless audacity. But if anyone should presume to attempt this, let him know that he will incur the wrath of Almighty God and of his blessed Apostles, Peter and Paul. Given in Rome, at St. Peter's, in the year of Our Lord nineteen hundred and thirty-four, on the fourteenth day before the Kalends of April, in the feast of St. Joseph, Spouse of the Blessed Virgin Mary, in the eleventh year of Our Pontificate. A. CARDINAL AGLIARDI, S. B. E., Chancellor. Place [seal]. VISIBLE: M. RIGGL, C. A., Notary of the Royal Chamber, No. 590. LETTERS TO R. P. FRANCIS RALEM; XAVIER WERNZ, OFFERING CONGRATULATIONS AFTER THE RESTORATION OF THE SOCIETY OF JESUS, THE SUPERIOR OF THE SOCIETY OF JESUS IN GENEVA, AT THE END OF THE CENTURY. Beloved Son, greetings and the apostolic blessing. — We embrace all the sons of the Church with paternal love; but We, with particular care, follow the progress of the Orders and Religious Congregations, since they are the most excellent part of the flock of the Lord, so that whatever happens to them, whether joyful or sorrowful, We consider to be of common concern to Us. Therefore, it has recently happened to Us, as you yourself can attest, that We received – which you presented with diligence – "The secular history of the Society of Jesus, from the year 1834 to the year 1934," and also accompanying letters, filled with heartfelt piety, in which you reminded all members of the Society of Jesus to prepare themselves properly and piously for the upcoming celebrations commemorating the restoration of the Society. Indeed, this Apostolic See, which knows the Society of Jesus well and has always experienced its zealous hand prepared to fight the battles of the Lord, cannot allow this auspicious time to pass by as if it were foreign to it; rather, We gladly seize this opportunity to declare the benevolence and charity of Our hearts towards your Order, which, indeed, deserves the highest praise from all good people for its outstanding merits for the Church. And first of all, We are sincerely pleased to congratulate this Society, which has acted so well during this century for the glory of God and the salvation of souls.

[*Latin ed. p. 304*]

Acts of the Apostolic See - Official Commentary 304, for the promotion of health, and this through a multitude of endeavors, by diligently working in sacred missions, by educating youth, by teaching philosophy, and theology according to the doctrines of Aquinas, by attending to the daily duties of the priesthood, and especially through spiritual exercises, all of which are written well, learnedly, and zealously. But above all, we commend that you

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have endured and still endure so many indignities and insults from the wicked. For there is no other reason why you are so vehemently sought out by them, except because you are devoted to the Apostolic See, which, indeed, no Catholic would deny should be placed among its greatest praises. Furthermore, we know that the world cannot keep peace with those who piously follow Jesus, since Christ Himself forewarned His own: "Blessed shall you be when men shall hate you, and when they shall separate you and shall reproach you and cast out your name as evil, for the Son of man's sake." Indeed, the Society of Jesus, having happily revived under the authority of our illustrious predecessor, Pius VII, and flourishing through the grace of all subsequent Popes, has wonderfully grown to this day, and it is to be hoped that it will grow ever more, and that it may find freedom to live and act among all peoples. This, of course, will benefit the public good, for who can deny that those who are the most devoted administrators of the Church to the Apostolic See are also the most diligent and zealous in promoting the welfare of humanity and the true good of the people? Therefore, so that your works may always bear the fruits they ought to, we earnestly exhort you, as most beloved sons, especially not to ever forget what your father Ignatius wisely prescribed in part X of the Constitutions: "that all who have joined themselves to the Society should be diligent in the study of solid and perfect virtues and spiritual matters; and that they should consider this of greater importance than in doctrine or other natural and human gifts. For these are the interior things, from which the efficacy to persevere in external matters must be derived, for the end proposed to us." Therefore, let each of you be careful, so that, while striving to do everything for the sake of all, that all may be saved, you do not contract anything from the pestiferous contagion of the world, either by indulging in some of its desires or by sparing some errors; for otherwise, it would ultimately follow the wisdom of the flesh, to the great detriment of the faith and the morals of the Christian people; in short, we wish that you religiously avoid those very three things which you commanded to be religiously avoided by all in that letter, which we mentioned above, to the Fathers and Brothers of the Society: the spirit of the world, levity of mind, and a desire for rash novelty. Thus, and in no other way, will it be, always. Luke 6, m.

[*Latin ed. p. 305*]

Acts of Pope Pius X, 305: May the faith of your minds and the piety of your actions be one for all of you. We desire this for you, and we pray for it, and as a witness to Our singular benevolence and a pledge of divine favors, We impart Our apostolic blessing to you, beloved Son, and to the entire Society of Jesus, with all Our love. Given in Rome, at St. Peter's, on the tenth day of the month of May, in the year 1914, in the eleventh year of Our pontificate. PIUS PP. X.

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(SECTION ON INDULGENCES)

I. DECREE OR DECLARATIONS CONCERNING CERTAIN SPIRITUAL BENEFITS GRANTED TO THE PIOUS WORK. The following questions were presented to this most holy Congregation of the Holy Office for appropriate resolution:

I. When a parish priest delegates one of his vicars, entrusting to him the task of collecting alms in his parish in favor of the pious Work of the Propagation of the Faith, which of them enjoys the faculties and privileges granted to this Work by the Holy See? Is it only the vicar? Or only the parish priest? Or both?

II. In dioceses where no council or committee exists, but only one priest is appointed by the bishop as the diocesan director with the mandate to provide for this entire Work, does this director alone enjoy the faculties and privileges granted by the Holy See? Or does the bishop also enjoy them?

The Most Eminent and Reverend Cardinals, Inquisitors General, on Thursday, March 25, 1914, declared that the following should be answered:

To I. Both the parish priest, to whom the task has been entrusted in a parish of collecting alms, and the vicar, to whom the parish priest has entrusted this task, enjoy the faculties and privileges granted to the Work of the Propagation of the Faith by the Holy See.

[*Latin ed. p. 306*]

306 Acta Apostolicae Sedis - Commentarium. The official [bodies] enjoy the faculties and privileges granted by the Holy See. Regarding II. Not only the director priest, but also the Reverend Bishop enjoy, in this case, the faculties and privileges granted by the Holy See. And the Most Holy Lord Pope Pius, in the ordinary audience with the Reverend Prelate, Assistant of the Holy Office, on the following Friday, March 26th, having graciously approved the opinion of the aforementioned Fathers, contrary to any objections. D. CARD. FERRATA, Secretary. L. & S. f D. Archbishop of Seleucia, Assistant of the Holy Office. II. DECREE: PECUNIARY GRANTS ARE AWARDED TO SODALITIES FOR THE PROMOTION OF THE READING OF THE HOLY GOSPEL. How beneficial the association of the faithful is for the constant promotion of the reading of the Gospel, conspicuous fruits have demonstrated. For those which, with the favor of ecclesiastical authority, have arisen thus far, have been seen to be enriched by heavenly blessings. Therefore, that this matter may gain much increase, the Most Holy Lord Pope Pius, in the ordinary audience with the Reverend Prelate, Assistant of the Holy Office, given on April 23rd, in the year 1914, He, the same Most Holy Lord, granted to all and each pious Sodalities, by the local Ordinaries, whether already canonically erected or to be similarly erected in the future, with the intention that its members cooperate so that the Gospel may be more widely spread and promoted, and for this

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purpose, He proposes the following: 1. To frequently, and if possible, daily, dedicate themselves to some reading of the Holy Gospel, using editions approved by the Church, and enriched with frequent and clear annotations; 2. To commend such reading to others, suitably and opportunely; 3. To frequently recite the following prayer: "Grant us, we beseech Thee, O Jesus, that we may diligently follow Thy holy Gospel," and, having graciously granted the following indulgences: I. Plenary, o...

[*Latin ed. p. 307*]

The Most Holy Congregation of the Holy Office:— 307 1: Applicable also to the deceased, for Confessors and those who have received Holy Communion, who have visited the church or chapel in which the Sodality is canonically established, and who have prayed there according to the mind of the Supreme Pontiff: 1° On the day of inscription in the Sodality; 2° On the following feast days: Nativity of our Lord Jesus Christ, Circumcision, Epiphany, Easter, Ascension, Pentecost, Assumption of the Blessed Virgin Mary, Chair of St. Peter in Rome, Conversion of St. Paul the Apostle, St. Joseph (March 19), St. Mark the Evangelist, St. James the Apostle (May 1), Ss. Peter and Paul, St. Matthew the Apostle and Evangelist, St. Jerome, St. Luke the Evangelist, St. Jude Thaddeus the Apostle, St. John the Apostle and Evangelist, and All Saints. II. A plenary indulgence, to be obtained by any of the members in articulo mortis, if, having confessed and received Holy Communion, or at least contrite, they devoutly invoke the Holy Name of Jesus with their mouth, if they can, or with their heart, and patiently accept death as the punishment for sin from the hand of the Lord. III. A partial indulgence of one hundred days, also beneficial to the souls of the deceased, for any work of piety or charity performed by the members in accordance with the statutes of the Sodality. This [decree] is valid forever, without any brief [papal bull]. Contrary provisions notwithstanding. D. CARD. FERRATA, Secretary. L. % S. f D. Archbishop of Seleucia, Prefect of the Holy Office. III DECREE OR DECLARATION CONCERNING THE REGISTRATION AND TRANSMISSION OF THE NAMES OF THE FAITHFUL ADMITTED INTO PIOUS CONFRATERNITIES. Whereas the Most Holy Congregation for Indulgences and Sacred Relics, on July 16, in the year 188ting, declared that the registration of the names of the Christian faithful who are admitted into properly constituted Confraternities is entirely necessary for obtaining indulgences; and from the decree of the same Most Holy Congregation, dated August 18, 1868, priests who are not in charge of any of the aforementioned Confraternities are, as soon as it is convenient, obliged to transmit to the superiors of the nearest canonically established Sodality the names of those admitted, so that they may be entered in the register of that Sodality; it has been questioned whether the

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faithful, from the very day of their inscription, are entitled to indulgences.

[*Latin ed. p. 308*]

308 From the Apostolic See - a commentary: those who are entitled to gain the indulgences should have that right, even if their names have not yet reached the Sodalitas. And the aforementioned Congregation, on the days of December 12, 1892, and November 15, 1893, issued a positive response. However, if, whether through negligence or some other cause, the names of the faithful are never transmitted to the Sodalitas, a new doubt arises as to whether, and at what time, the faithful will be considered to have fulfilled the conditions for receiving the benefit of indulgences. Regarding this matter, a petition was made to His Holiness, Pope Pius, of blessed memory, that he might reveal his mind, and benignly remedy any defects that, up to this point, might have been inadvertently committed in this regard by any priests. And His Holiness, in a private audience, on April 23, 1914, imparted to the Reverend Father, Assistant to the Holy Office, that, with prior absolution of all defects hitherto committed in the inscription and transmission of the names of the Christian faithful who have been admitted to any pious Sodalitas, the obligation of inscribing and transmitting the names, according to the decrees and other prescriptions of the Holy See, remains firm; the faithful, from the very moment they are admitted by a legitimately appointed person, are considered duly enrolled, solely for the purpose of being able to gain indulgences and participate in other spiritual graces, even if their names, for whatever reason, have not been included in the list of the Sodalitas. Contrary opinions notwithstanding. D. CARD. FERRATA, Secretary. L. © S. f D. Archiep. Seleucien., Ads. S. O. IV. DECREE OR INDULT REGARDING THE SACRAMENTAL CONFESSION TO BE PERFORMED IN ORDER TO OBTAIN INDULGENCES. April 23, 1914. His Holiness, Pope Pius, of blessed memory, desiring to make the use of the Eucharist more frequent and easier, and nevertheless knowing that, at times, the prescribed sacramental confession, according to the same day, or according to any of the preceding ones, hinders, according to special or general indulgences of the Holy See, especially those granted on December 9, 1763, and March 11, 1908, by the Holy Congregation of Indulgences; the more extensive indulgences already granted remain firm.

[*Latin ed. p. 309*]

The Most Holy Congregation of the Holy Office, by 309 decrees, and specifically on February 14, 1906, through the aforementioned Sacred Congregation for Indulgences, concerning those who daily, or almost daily, partake of the "Pane Angelorum"; having deigned benignly to grant that, for obtaining any indulgences, a sacramental confession may suffice, made within the eight days preceding the day designated for obtaining the indulgence; provided, however, that it is not necessary that, according to

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the prudent judgment of the confessor, any of the faithful should otherwise conduct themselves. This decree is valid forever, without any brief being required. In contradiction to anything to the contrary notwithstanding. D. CARD. FERRATA, Secretary. L.)$(S. f D. Archbishop of Seleucia, Prefect of the Holy Office. DECREE CONCERNING PECULIAR GRACES GRANTED TO SOCIETIES OF THE FAITH DEVOTED TO TEMPERANCE OR SPIRITUAL AUSTERITY IN AVOIDING INTOXICATING DRINKS. Our Most Holy Lord, Pope Pius, in the tenth year of his pontificate, in an audience granted to the Most Reverend Prefect of the Holy Office, on Thursday, May 21, 1914, desiring to demonstrate His most favorable will towards Societies named for Temperance or Abstinence from intoxicating drinks, and that their members may strive more zealously in promoting so salutary a purpose; by apostolic authority, He has decreed to open a generous grant from the treasure of the Church, and has deigned to grant the following indulgences to such Societies, provided that they are canonically erected or are to be erected by the Most Reverend Ordinaries: I. Plenary Indulgences. To members who, having confessed and received Holy Communion, devoutly visit any church or public oratory and there pray according to the wishes of the Supreme Pontiff: 1° On the day when the Society receives its name. 2° On the feast day of the Society's titular saint. 3° On the feast of Saint John the Baptist, or on the immediately following Sunday. 4° On four days of the year, to be designated once only by the Most Reverend Ordinaries. 5° Once a month, on a day chosen by each member, if, throughout the entire month, they have devoutly recited a prayer approved by the Most Reverend Ordinary for the respective Society.

[*Latin ed. p. 310*]

Acts of the Apostolic See - Official Commentary 310, II. Partial Indulgences. I. Seven years, and also forty days, granted by the Ordinaries, once only, to those members who have devoutly visited a church or public oratory, and there have prayed according to the mind of the Supreme Pontiff, and have also renewed from the heart a promise concerning temperance or abstinence from intoxicating drink. II. Three hundred days, to be granted to those members who have endeavored to turn away from the vice of drunkenness, or who have brought someone to join the Society, or who have attended meetings of the Sodality. All of these, both individually and collectively, can also be applied to the deceased. Furthermore, the same Holiness has decreed that all Masses offered for the soul of any deceased member by any priest may, in that way, benefit the soul as if they had been celebrated at a privileged altar. This decree is valid forever, without any brief being required, notwithstanding any contrary provisions. D. CARD. FERRATA, Secretary. L. "S. f D. Archbishop of Seleucia, Ad. S. O. VI SUMMARY OF THE RATIONALE AND PRIVILEGES OF THE PERPET-

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UAL INDULGENCES FOR THE ARCH-SODALITY "FROM THE APOSTOLIC SEE OF BARCINONA "TO THE DEACONS. I. Plenary Indulgences. To members who, having confessed and received Holy Communion, visit a church or public oratory and pray there according to the mind of the Supreme Pontiff: 1) on the day they enter the Sodality; 2) on the feast of the Most Holy Trinity; 3) on the feast and solemnity of St. Joseph, Spouse of the B.V.M.; 4) on the feasts of the Apostles Peter and Paul; 5) on the feast of the Chair of St. Peter in Rome; 6) on the feast of the Chair of the same Apostle in Antioch; 7) on the Commemoration of all the Most Holy Supreme Pontiffs of the Roman Church; 8) once in each month, on the day they are convened to receive Holy Communion; 9) on...

[*Latin ed. p. 311*]

I. The Most Holy Congregation of the Holy Office, in article 311 concerning death, declares that if the members, as previously stipulated, or at least contrite, have devoutly invoked the Most Holy Name of Jesus with their mouth, if they are able, or, if not, with their heart, and have patiently accepted death as the punishment for sin from the hand of the Lord.

II. Partial Indulgences. Members who, on the days of the Stations of the City designated in the Roman Missal, visit the church in which the Sodality is established, observing the other conditions, can acquire the same indulgences that they would obtain, according to the decree of the Holy Congregation of Indulgences dated July 9, 1777, if they were to personally visit the churches of the City listed in the same Missal.

III. Partial Indulgence. One hundred days for any work of piety or charity that the members have performed, at least with a contrite heart and devoutly, according to the purpose of the Sodality.

IV. Privileges.

1° All and each of the indulgences mentioned above, except for the plenary indulgence at the hour of death, can also be applied to the souls residing in Purgatory.

2° Masses that are celebrated for the soul of any member by any priest can benefit that soul as if they had been celebrated at a privileged altar.

3° The Director of the Arch-Sodality, or of any Sodality duly affiliated with it, enjoys the faculty, during his tenure, of blessing, with a single sign of the cross, solely for the use of the members, the Association's own blessed medals, and of applying to them the so-called "Apostolic" indulgences.

On May 21, 1914.

Our Most Holy Lord, Pope Pius, in a private audience granted to the Reverend Fathers Assessors of the Holy Office, deigned to grant, perpetually, without any further dispatch, the indulgences and privileges mentioned above, approved this summary, and graciously permitted it to be printed

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and published.

Notwithstanding any contrary provisions.

D. CARD. FERRATA, Secretary.

L. © S. f D. Archiep. Seleucien., Assess. S. O.

[*Latin ed. p. 312*]

312 Acta Apostolicae Sedis - Official Commentary. SACRED CONGREGATION CONSISTORIAL. DECREE: THE CONFRATERNITY OF THE HOLY ROSARY OF THE BLESSED VIRGIN MARY OF MOUNT CARMEL IS SUPPRESSED. The purpose and reason for the existence of Confraternities within the Church is to offer to its members a means of sanctification, the exercise of charity among themselves and with others, and the practice of divine worship according to the laws and within the limits not determined by themselves, but by God and by the legitimate authority which God has established in the Church, as prescribed. It is well known to all what this authority is, and what these laws are. And it is equally well known what respect and obedience must be given to this authority by all the faithful, but especially by those who, as members of a pious Congregation, by their very position have special duties; for the Divine Master declared to His disciples: "He who hears you, hears Me." Now, considering that the Confraternity of the Holy Rosary in Catanzaro has publicly and notoriously, in a very grave manner, violated these laws and duties; considering that, with this spirit of rebellion, it has not only persevered, but has even attempted to overcome ecclesiastical authority with demonstrations and violence; considering that a religious institution, when it deviates from its purpose and goes to the opposite extreme, not only has no reason to exist, but must be suppressed and abolished; this Sacred Congregation Consistorial, by mandate of the Holy Father, for the sake of ecclesiastical discipline, to repair the scandal caused, and to punish the guilty, suppresses and declares to be suppressed by this present decree, the aforementioned Confraternity of the Holy Rosary, and, by consequence, any privilege or right that in any way belonged to it is hereby abrogated. Given at Rome, from the Sacred Congregation Consistorial, on the 5th of May, 1914. C. CARD. DE LAI, Bishop of Sabina, Secretary. L. "S. Giovanni Batt. Rosa, Substitute.

[*Latin ed. p. 313*]

The Sacred Congregation Consistorial, 313 II, DECREE CONCERNING THE OFFICE OF COUNSELORS OF MUNICIPALITIES OR PROVINCES TO BE HELD BY PRIESTS THROUGHOUT ITALY. Certain Ordinaries of Italy having inquired whether priests may undertake the office of counselors in administrative matters, either of civil municipalities or provinces, and with this end in view, whether they may be presented as candidates in elections, the Sacred Congregation Consistorial, by order of Our Most

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Holy Lord, having carefully considered all matters, has decided that it is not permissible, unless with the prior consent both of the proper Ordinary of each priest, and of the Ordinary of the place in which the administrative office is to be exercised; to the contrary notwithstanding. Given at Rome, from the offices of the Sacred Congregation Consistorial, on the 8th of June, 1914. C. CARD. DE LAI, Secretary. Ioannes Bapt. Rosa, Substitute. APPOINTMENTS: By Apostolic Briefs, the following have been appointed: On May 1st, 1914. — Bishop in title of Paroecopolis, and Coadjutor with future succession to the Apostolic Vicar of Central Mongolia, the Reverend Everardus Ter Laak, alumnus of the Congregation of the Immaculate Heart of the Blessed Virgin Mary, and presently Apostolic Prefect of Southern Kan-Su. On May 2nd. — Archbishop in title of the Latin Rite Church of Pessinunta, and Coadjutor with future succession to the Archbishop of Adelaide, the Reverend Robert William Spence, of the Order of Preachers. On May 3rd. — Bishop in title of Coracesia, and Apostolic Vicar of Cookpolis, the Reverend Ioannes Heavey, of the Order of the Eremites of Saint Augustine.

[*Latin ed. p. 314*]

314 Acta Apostolicae Sedis - Official Commentary of the Decree of the Holy Congregation for the Propagation of the Faith: April 7, 1914. — The apostolic prefect of the Territory of William the West, Reverend Father Adalbertus Otto Rielander, of the Congregation of the Most Holy Hearts of Jesus and Mary of Picpus.

SACRED DECREE: On Feria II, June 1, 1914. The Holy Congregation of the Most Eminent and Reverend Cardinals of the Holy Roman Church, appointed by our most holy Lord Pope Pius X and the Holy Apostolic See to examine books of pernicious doctrine, and to determine their condemnation or permission throughout the Christian republic, having met in the Apostolic Palace at the Vatican on June 1, 1914, condemned and condemns, prohibits and forbids, and orders that the following works be included in the Index of Prohibited Books:

HENRI BERGSON, *Essai sur les données immédiates de la conscience*. Paris, Félix Alean.

— *Matière et mémoire; essai sur la relation du corps à l'esprit*. Ibid.

— *L'évolution créatrice*. Ibid.

ALOIS KONRAD, *Iohannes der Täufer*. Graz and Vienna, 1911: until corrected.

DAMIANO AVANCINI, *Modernismo; romanzo*. Milan, 1913.

RAFAEL URIBE URIBE, *Así como el liberalismo político colombiano no es pecado*. Bogotá, 1912.

THEODOR WACKER, *Zentrum und kirchliche Autorität* in the pamphlet: *Gegen die Quertreiber*. Essen, 1914.

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Therefore, no one, of whatever rank or condition, shall dare to publish, or to read or retain, in any place or language, the aforementioned works that have been condemned and prohibited, under the penalties indicated in the Index of Prohibited Books.

[*Latin ed. p. 315*]

The Most Holy Congregation of Indulgences, number 315. To whom, having been informed by me, the undersigned Secretary, of the following matter concerning our most holy Lord Pope Pius X, His Holiness approved the decree and commanded it to be promulgated. In witness whereof, etc. Given in Rome, on the 3rd day of June, 1914. FR. CARDINAL DELLA VOLPE, Prefect. L. © S. Thomas Esser, O. P., Secretary.

THE HOLY CONGREGATION OF RITES.

FOR THE ROMAN APPROBATION OF PROPER OFFICES FOR THE CLERGY OF THE NOBLE CITY [Rome] AND ITS DISTRICT.

Having approved the Calendar on the 10th of December, 1913, for use by the secular clergy of the noble City and its district, the Most Reverend and Venerable Lord Cardinal Basilius Pompilj, in that City the General Vicar, reverently presented the aforementioned Proper Offices to our most holy Lord Pope Pius X, simultaneously requesting that, after revision, he would deign to approve and grant it with his supreme authority. Furthermore, the Holy Congregation of Rites judged that it could approve the aforementioned Proper Office, which had been revised and arranged by him, at the mandate of the same Most Holy Lord.

Having informed our Most Holy Lord Pope Pius X of all these matters by the undersigned Secretary of the Holy Roman Congregation, His Holiness deigned to consider the aforementioned Proper Office as ratified and approved, and graciously permitted it to be used by the secular clergy of Rome and by all those who legitimately use its Calendar.

Notwithstanding any contrary provisions, on the 22nd of May, 1914. FR. S. CARDINAL MARTINELLI, Prefect. L. © S. f. Petrus La Fontaine, Bishop of Charyste, Secretary.

[*Latin ed. p. 316*]

Acts of the Apostolic See - Official Commentary 316 II. DECREE OR DECLARATION CONCERNING THE PROPER OFFICES AND MISSALS. By decree No. 4166 of August 11, 1905, of the Congregation for the Sacred Rites, concerning the publication and approval of books containing Gregorian chant, and by decree No. 4260 of February 24, 1911, concerning the manner to be observed in requesting the approval of Proper Offices of a diocese, order, or institute, containing Gregorian chant, according to the edition of the Roman Gradual or Antiphonal of the Vatican, the afore-

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mentioned Sacred Congregation has considered it opportune and useful now to declare and does declare that the aforementioned Proper Offices, whether containing chant or not, shall be submitted to this Sacred Council for revision and approval, in three copies, together with the request of the respective Bishop, Ordinary, or Superior, and shall be regarded as a work not yet definitive, but rather as a draft, and as a manuscript, even though printed. After the revision has been completed and the approval granted, one of the aforementioned copies shall be returned to the Bishop, Ordinary, or Superior, with a certified copy of the revision and approval, along with the clause that those to whom it pertains may, with the approved Proper Offices, grant the *Imprimatur* for use in the respective diocese, order, or institute. Furthermore, two copies of this Proper Office, definitively printed, together with the certification and the approval of the Holy See, and the license of the Ordinary or Superior, shall be sent to the Congregation for the Sacred Rites. All contrary decrees and provisions to the contrary notwithstanding. June 3, 1914. Fr. S. CARD. MARTINELLI, Prefect. L.©S. Fr. Petrus La Fontaine, Bishop of Charystien, Secretary.

[*Latin ed. p. 317*]

SACRED ROMAN ROTA, BRUNN. 1. CONSTITUTION OR JURISDICTION. During the happy reign of Pope Pius X, in the eleventh year of his pontificate, the Most Reverend Fathers, Francis Heiner, presiding, Aloysius Sincero, and Joseph Mori, Auditors, in the case of Brunn, on the matter of Constitution or Jurisdiction, with the Grand Prior of the Most Noble Order of Malta of Bohemia and Austria as the plaintiff, represented by his legitimate procurator, Vincent Sacconi, advocate, against the Most Reverend Bishop of Brunn, the defendant, represented by his legitimate procurator, Anthony Cagiano de Azevedo, on March 28, 1914, rendered the following final judgment.

Since, at the end of the year 1910, the parish of Erdpurg, formerly belonging to the diocese of Olmütz, now belonging to the diocese of Brunn, was vacant, the Grand Prior of the Most Noble Order of Malta of Bohemia and Austria requested the Bishop to grant the parish of Erdpurg, since it was fully incorporated by law to the Commandery of Maylberg or to the Order, to a priest from the Order. However, the Episcopal Consistory of Brunn gave a negative response to the request of the Grand Prior, and since the Grand Prior did not accept this response, the matter was brought before the diocesan tribunal. Then, on November 29, 1911, a judicial sentence was issued which likewise rejected the request of the Order. The appeal duly instituted from this sentence was not accepted by the tribunal of Olmütz due to a lack of jurisdiction, since in this case, appeal should have been made directly to the Apostolic See.

Finally, with respect to the matter brought before the Holy Office, the following questions, legitimately agreed upon, must be answered:

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I. Does it appear that the benefice of the cure of Erdpurg is legitimately incorporated to the Most Noble Order of Malta and to the Commandery of Maylberg?

II. Is the Grand Prior of the Most Noble Order of Malta of Bohemia and Austria legally entitled to present priests of the same Order to the parochial church of Erdpurg, or, on the contrary, is he obligated to present secular priests?

ACTS, Volume VI, No. 9. — 12-6-1914. 23.

[*Latin ed. p. 318*]

318 Acta Apostolicae Sedis - Official Commentary. The following facts must be stated. 1) In the year 1227, Otto de Traberch, by a charter of Leopold, Duke of Austria and Styria, "for the benefit of his soul and that of his lords, and of all his ancestors," freely and absolutely transferred to the Hospital and the Brothers of St. John, for perpetual possession, all rights of patronage and whatever rights he held in the churches of Walgerstein in the Diocese of Padua and Erdpurga in the Diocese of Olomütz. "Together with all tithes... which, as we have received from our tenants in that place, both by fact and by divine and canonical right, we transfer to the aforementioned brothers, the vicars in Walgerstein and Erdpurga, to be possessed, received, and used by them." 2) As is evident from the very document of donation, at the time of the donation, the parish of Erdpurga was governed by priests from the Order of St. John, or from the Order of Malta. This is understood by the expression "Brothers vicars." Furthermore, in the years 1411 and 1660, Brothers from the Order were also vicars, as is evident from the relevant documents. Similarly, over the course of the centuries, this occurred on one occasion or another. On the other hand, there are documents that show that the Bishop of Olomütz offered the parish benefice of Erdpurga to secular priests, presented by the Grand Prior of the Order of Malta. Moreover, there is no doubt that from the year 1746 until the present vacancy of the benefice, there has been a continuous series of secular priests who have obtained the parish of Erdpurga through the presentation of the Grand Prior. 3) The first known dispute between the Order and the Bishop arose in the year 1678. The Bishop rejected a presentation to the parish benefice made by the Order, stating: "Since the modern presentation by Count Sebastian of Pötting, Knight of Malta, does not conform, and the Knights of Malta have never presented vicars, but rather parish priests, in their dependencies in this diocese..." Similarly, in the year 1737, Cardinal de Schrattenbach, Bishop of Olomütz, rejected letters of presentation for the vacant benefice of Leobschitz, because the presentation "differs greatly from the forms previously given by the Commendators," ordering his vicar and the lords of the Consistory to "humanely urge" the aforementioned Count "to change this presentation, and to conform it to the ancient style received

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and hitherto used in our episcopal court in this matter." 4) The first judicial controversy concerning the parish benefice of Erdpurga arose in the year 1759. Count Anthony Waldsee Colloredo,...

[*Latin ed. p. 319*]

The Roman Rota, in its judgment of May 19, commended the Bishop of Olmütz. The church of Erdpurg had violently removed a secular priest appointed by the Bishop and had installed a priest from the Order in his place. The civil magistrate, invoked by the aforementioned Bishop, rendered a decision in favor of the Bishop. Thus it is written in the imperial decree of September 29, 1759: "Considering that Her Imperial Majesty has found, concerning the property 'of this parish vicariate,' that it is rightfully held by the Bishop of Olmütz, certainly and in such a way that it is not subject to any contradiction, and in no way can be disputed, and since Her Imperial Majesty, as mentioned above, wished to maintain the Bishop of Olmütz in the possession to which he is undoubtedly entitled, She has ordered Her Imperial Representation and Chamber that, when the aforementioned Count does not immediately and spontaneously recall the chaplain of the Order, he should expel this chaplain from there, without any prejudice, and that he should provide all assistance in the aforementioned property for the spiritual functions and the administration of the episcopal parish." The Count Colloredo submitted to the orders of this decree, but refrained from initiating a lawsuit concerning the property, which, according to the decree of Empress Maria Theresa, should have been brought before the civil tribunal; however, the Count himself had previously invoked this tribunal. Neither did the Order initiate a lawsuit later, although in the years 1847, 1866, and 1897, it renewed its efforts to present priests from the Order, but it did achieve the desired result. Finally, in the year 1910, the Order appealed to the ecclesiastical tribunals to resolve the matter. The following points are to be noted concerning this: 1) Incorporation, which is a kind of union of benefices and therefore, in canon law, is also called a union, consists, according to Aichner, *Compendium iuris eccl.*, ed. XI, p. 275, "in the fact that some benefice is added to a certain college, chapter, monastery, university, or dignity, and indeed, most often for the purpose of increasing its endowment. A vicar must always be appointed to perform the duties of the incorporated benefice..." There are three species of incorporation. The first is called a union *quoad temporalia tantum*, or not in full right, when the temporal goods of the parish are assigned to, for example, a monastery, but the care of souls is administered by a rector of the benefice appointed by the Bishop at the presentation of the monastery. A union in full right is when both the temporal and spiritual matters belong to the monastery, so

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that the care of souls...

[*Latin ed. p. 320*]

320 Acta Apostolicae Sedis - Official Commentary: "The habitual residence of souls remains with the chapter or with the prelate who represents the chapter; actually, however, it is exercised by a vicarius, temporarily appointed from the chapter. Through this union, the status and nature of the united benefice are changed, so that, with regard to the title, it is extinguished and ceases to be a benefice, becoming a part or a property of another to which it is united. Finally, this union is one of full right, by which the prelate of the monastery, under the jurisdiction, obtains a quasi-episcopal authority over the clergy and the people subject to him, and this jurisdiction of the prelate is exempted from the power of the diocesan bishop." The institution of incorporation, both in substance and in name, had already been sufficiently developed in the preceding century, so that there is no longer room for doubt about its force and significance. When it is a matter of speaking about it, it is then explained in plain terms and is always confirmed with the consent of the bishop. Thus, for example, it is read in a certain instrument (Mecklenburg Urkdbch, 1, 462) of a donation made by a layman to a collegiate church in the year 1257, with the express consent of the bishop: "... to be held perpetually, so that the said church, with all its integrity and full rights, is returned to the use of the canons." In an instrument of the year 1268 [Wurdtwein, diocese of Mogunt, 1, 478], the bishop himself donates with these words: "The church in Gensem, to which the right of patronage belongs to us, we entrust and donate to you (to the abbot and the monastic community of St. James of Mogunt, O.S.B.) with the advice and consent of our chapter, to be held fully." However, it must be said that in this case, as the context shows, it is a matter of incorporation not of full right. On the contrary, in a document of the year 1282 (Mecklenburg Urkdbch, 3, 53): "The church in Bergerdorpe, with the right of patronage of the same, and with all its temporal and spiritual rights, fully, we grant to you... to be held perpetually." It cannot be doubted that the consent of the bishop at that time, or before the Council of Trent, was necessary (and sufficient) for unions and incorporations of benefices. In chapter VIII, on excesses, the mandate of Celestine III is found, saying: "As it is recognized that uniting dioceses belongs to the Supreme Pontiff, so it belongs to the bishop to unite and subject the churches of his diocese." And in chapter IX, on the right of patronage, it is read: "No layman shall grant tithes, churches, or anything of ecclesiastical right, to monasteries or canons, without the consent of his bishop." And in chapter XI, on the right of patronage, Alexander III mandates "that no one, whether of the religious orders or other clerics, shall presume to claim or retain for himself churches given by laymen, unless the authority and consent of the bishop intervene." The same is inferred from chapter V, on the right of patronage, in which the

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same Pontiff warns: "... if laymen have drawn up instruments of donations to clerics or colleges..."

[*Latin ed. p. 321*]

The Roman Rota, Decree 321: "In these words, or similar ones ('I have granted or given the church, and with this charter,' 'I have confirmed'), if the consent of the bishop is lacking, it appears that nothing can be done; because 'for that which is not given, it is considered as if it were given by one who is not legally able to give.'" Finally, in chapter III of the *de Privilegiis* [collection], it is written: "Therefore, we prohibit churches and benefices from being taken from the hands of laymen without the consent of the bishops, both those [namely, the Orders of] the Templars and the Hospital, and also any other religious orders." If a dispute arises between a bishop, who contends that a certain church is not subject to any order, or is not incorporated into a monastery but is free, and an order, which claims that the church is incorporated or subject to it, it is clear that the law favors the freedom of the church, since incorporation, as it prejudices the freedom of the bishop, is a hateful thing. Furthermore, if possession is established on the part of the bishop, the law favors the bishop from another source, since 'in case of doubt, the condition of the possessor is better.' Therefore, in such a case, a pronouncement regarding incorporation can only be made if it can be proven with irrefutable arguments. Finally, it is noted in J. Berardi's *Dissertationes*, III, chapter 3, that there is a great difference between parochial churches or parochial benefices united to monasteries, and between parochial churches to which only the right of patronage belongs: "...these distinctions must always be considered in relation to the founding charters or the charters of union of the benefice; 'if these charters are lacking, the usage of things done will demonstrate what the rights of the monastery are: whether, namely, they are limited to the mere rights of patronage, or whether they extend even to the exercise of the parochial care.'"

2) Regarding the charters of donation, it is clear from the text that Otto granted to the Order only the right of patronage, with respect to the churches of Walderstein and Erdpurga. For it is written in these charters: "The right of patronage and whatever rights he had in the churches of Walderstein and Erdpurga... he freely and absolutely granted to the Hospital." Furthermore, Otto did not grant the care of souls to the Order, nor could he have done so, since he himself was not able to possess it, as is evident from the foregoing and from the very nature of spiritual things. Therefore, that expression, "the right of patronage and whatever rights he had," must be understood to mean that Otto, together with the right of patronage, intended to grant the rights accessory to patronage; it cannot, however, be understood as if the donor intended to grant a more noble right of patronage than he himself possessed. Furthermore, there is no

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mention of the consent of the bishop being absolutely necessary, for which reason the matter of incorporation cannot again be discussed. Nor can it be said that the consent of the bishop is to be presumed in this case. For the crux of the question is...

[*Latin ed. p. 322*]

322 Acta Apostolicae Sedis - In the present case, the precise question is this: Is there a true and valid incorporation, brought about with the consent of the bishop? Therefore, the consent of the bishop must be proven in this case, and not presumed. Nor is the objection more valid that Duke Leopold asserted that the donation was made "reasonably." Indeed, that duke is not a competent witness regarding canonical matters, nor does his testimony establish the legal "reasonableness" or the legal validity of any act concerning ecclesiastical law, especially when it is a question of to what extent the act of donation is "reasonable." Nor does the tradition of tithes imply that a full incorporation has been made. For it would follow that in this case, we are dealing with a partial incorporation, or with an incorporation only with regard to temporal matters. But it is more accurate to say that we are dealing with a case of restitution, especially since, according to the aforementioned Decrees, it had long been prohibited for religious orders to receive tithes from laymen. Although laws existed, many laymen persisted "to the peril of their souls," as stated in the Decrees, in retaining the tithes. Otto, on the other hand, wished to restore the tithes that he had previously held, because in this sense the words of Otto in the instrument of donation are correctly explained: "as lord temporal, who cannot, by divine and canonical law, legitimately possess the tithes of God." He certainly delivered these tithes "to the brethren of the parish," but subsequently, only during the time of the donation or restitution of the tithes, did priests from the Order administer the parish of Erdpurg. How and by what right this occurred, that the tithes remained in the possession of the Order afterwards, is another question not relevant to the present matter.

3) Furthermore, the very patron of the Order of Malta finally admits that the incorporation cannot be directly proven from the instrument of donation. He asserts that from this document it appears that the incorporation, made by Otto at the time of the donation, already existed. He argues that it existed with regard to spiritual matters because, at the time of the donation, priests from the Order already possessed the parish benefice of Erdpurg. But who could seriously claim that an incorporation with regard to spiritual matters can be inferred from the mere fact that some regular priests have obtained a certain parish benefice? It is true that bishops often must entrust certain parishes to regular priests due to a lack of secular priests, but no one can deny that this in no way implies a full incorporation. The patron of the Order, however, proves that the incorporation already existed with regard to temporal matters because the Order already possessed property

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in Erdpurg before—

[*Latin ed. p. 323*]

The Roman Rota has rendered 323 judgments in favor of property rights. It is true that the possession of property in any location has absolutely no connection with incorporation. Indeed, an Order can possess property in a hundred parishes or towns, and from this circumstance, no argument can be derived in favor of incorporation. However, it has already been stated in response to the assertion of the patron of the Order that the tithes were donated by Otto, and therefore, incorporation in temporal matters preceded incorporation in spiritual matters.

4) Therefore, since the fact of incorporation cannot be proven by the instrument of Otto's donation, and no arguments are available regarding the time preceding this donation, nothing remains but to examine the time following the donation. This, the patron of the Order certainly did, but with little success. Firstly, the diligence and vigilance with which the Maylberg benefactors always defended the benefice in question against violent attacks does not prove that the Order was in legitimate possession of this benefice. For the defense of a benefice is the duty and office of the benefactor, and defensive acts can and should be attributed to the right of patronage; nowhere is it written that the benefactors exercised jurisdiction over the church of Erdpurg. Furthermore, as has already been stated, the fact that priests from the Order have, at times over the course of the centuries, administered the parish of Erdpurg does not follow. Nor does the possession of this parish, in which the inhabitants of Meiiten enjoyed benefits through the priests of that time, provide a basis for prescription. For in order for a prescription to be considered valid for acquiring a right, it must be peaceful and continuous, and persist for at least 40 years, as is derived from chapter V, on prescriptions, in 6°. However, these requirements are by no means present in this case, given the scattered and widely separated examples of the parish priests. Furthermore, unions of parishes with monasteries do not enjoy the favor of the law to any great extent, and therefore must be admitted with caution, and cannot be based on rare and isolated examples. In order for the visitations of the benefice of Erdpurg by the Commissioners of the Order to constitute a certain argument in favor of the union, there must be many, continuous, and firmly established visitations, with the knowledge and consent of the bishop. However, the Order can only present two, carried out in the years 1561 and 1609. On the contrary, the bishop can demonstrate that the church of Erdpurg has always been visited, as is proper, by episcopal visitors. "It is also well known that... without contradiction from anyone for all these years it has been canonically visited together with its church by the local dean of Inaym, appointed by him (i.e.,

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by the bishop)."

[*Latin ed. p. 324*]

324 Acta Apostolicae Sedis - Commentarium Officiale. The accounts of visitations made by the Order, moreover, prove nothing, because in other places as well, the Order has frequently sought to usurp the right of visitation, and the bishop has always been obliged to assert his rights, as is evident from the documents cited in the records. In the year 1868, the Bishop of Olmütz wrote as follows: "The presentation 'by the prior of the Melitian Order... since the right of presentation pertains to him, we cannot disapprove; however, in order to demonstrate the right of visitation over the parishes 'belonging to them,' it will be necessary to visit the new parish priest, either at the time of his installation or beforehand, and thus to exercise an action contrary to their opinion." Furthermore, in the year 1710, it was reported to the curia that "how presumptuously and scandalously the commendatory Pittarna of Groebri censem visited the sacristy in the parish church, and that he showed little or no regard for the opinion of Rome, scattering imperial decrees to the winds, and plainly seeking to subvert episcopal jurisdiction." Then, in the year 1729, Cardinal de Schrattenbach had to decree: "Lest the Melitian Order, in order to achieve peace, should carry out this visitation against Us and Our successors, the Bishops of Olmütz... despite the protests of the Order or its officials." Moreover, in the year 1751, the Dean of Tropplovic had to report to the Ordinariate: "When the archpriest arrived to make the visitation, he found at the doors of the parochial house a representative of the Order, who, under the name of commendatory, and indeed of the entire Melitian Order, protested against the visitation; to whom the archpriest, in order to safeguard his episcopal rights, did indeed oppose his reprobation, but was not admitted either into the church or into the church offices for inspection." A similar situation occurred in other benefices over which the Melitian Order held the right of patronage. Nor do the accounts submitted to the Order prove anything more. For the Order can only present three such accounts over the course of so many centuries; and these are contained within a single five-year period, namely, the years 1660, 1663, and 1665. But it should be noted that the parish priest who submitted these accounts at that time was a priest from the Order. Nevertheless, it is not surprising that a religious superior should require his subordinate to render an account, even if it concerns a secular canon. For it cannot be denied to a religious superior the right to inquire, for the sake of discipline, into the temporal administration of his subordinates, whether they are parish priests or not. However, one can abstract from this explanation of the facts, since from none of these individual facts can any conjecture be made regarding the union or incorporation of the benefice. Furthermore, certain mentions are made that call the church of Erdpurg

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"filial" and "incorporated." But when such designations are used...

[*Latin ed. p. 325*]

The Roman Rota holds that only the words of the very party concerned are relevant to the origin of a right, and that extrajudicial and unilateral statements have no weight. In the parochial cause of Senogallien, which was similar to the present case, De Luca, in *De Parochis*, 12, writes: "The remaining supporting documents or types of evidence were of no value, since they were derived from certain writings extracted from the archives of the same monastery, which does not provide proof unless the truth of those writings is confirmed from elsewhere." Much less helpful is the presentation by the Order of a forged document, or at least one not relevant to the matter, from the year 1832. In this document, it is stated that the bishop and the civil government acknowledge that the parishes of Maylberg, Grosbarras, and Rabensburg were legitimately incorporated into the Order. However, these are parishes that belong to the Archdiocese of Vienne. Finally, the two presentations made by the Order in the years 1660 and 1729 are useless for proving incorporation. For, as Pitonio teaches in *De contr. patr.*, all. 58, D. 12, the validity of a presentation remains proven by the declaration issued by the Ordinary in the act of institution, and not by the letters of presentation drawn up by the patron. Furthermore, the Order has acted similarly in presentations to other parishes, as we are taught by the relevant protests of the Bishops of OlomÃ¼tz. For example, in the year 1678, Bishop Charles wrote: "Since the modern presentation is not in conformity with previous ones, and the Melitian canons have never presented vicars but parish priests in their benefices in this diocese," and Cardinal de Schrattenbach, in the year 1737: "Since the presentation differs greatly from the forms previously given by the patrons..." and he speaks of "the ancient style received and still used in our episcopal court in this region." Therefore, on the one hand, it appears that the Order also intended to extend its rights to other parishes, and on the other hand, that the Bishops of OlomÃ¼tz used general terms in rejecting these attempts, so that even the parish of Erdpurg was included. 5) The only period of time that provides a valid argument in this case is the time from the year 1746 until the present vacancy of the benefice. However, throughout this entire period, secular priests have always held the Erdpurg parochial benefice, having been installed by the presentation of the Grand Prior. Therefore, for at least 164 years, the bishop has always granted this parish to secular priests. Indeed, it is accepted that a hundred-year prescription provides a better title in the world, and that no evidence is admitted in contravention of it.

[*Latin ed. p. 326*]

326 Acta Apostolicae Sedis - Official Commentary, and indeed, when

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it is a question of presumption of law and of law itself. "That opinion," teaches Pitonius, *De iure patrio*, vol. 58, "as if confirmed by the Sacred Tribunal, comes into judgment, so that the title presumed is such that the contrary cannot be proven by other presumptions... and if proof to the contrary is not admitted against a title presumed by law and of law, then proof to the contrary cannot even be admitted with respect to a centennial prescription, which is equated with an immemorial one, indeed, it is considered of greater or greater force than the immemorial one." However, this prescription, which is entirely in favor of the bishop, cannot be objected to on the grounds that the Order could not have acted, since it was prohibited by Empress Mary Theresa from bringing the case in petition to the Apostolic See, nor can the legal maxim be opposed: "That which is not legally able to act does not run the statute of limitations." For, in the first place, the commendator himself, not the bishop, approached the civil authority, as is read in the imperial decree: "With the request and exposition of the same (Count of Colloredo) humbly submitted to Her Majesty..." Therefore, the rule of law in Sexto can be invoked: "What has once pleased cannot displease more." Furthermore, in order for someone "not to be able to act," it is required that he be legitimately hindered and for the entire period necessary for the statute of limitations. Indeed, the prohibition by civil authority in the ecclesiastical forum was not only illegitimate, but the prohibition itself ceased already in the year 1780, that is, in the year in which Empress Mary Theresa died, or at least not long after. Therefore, if the Order abstained or withdrew from bringing the lawsuit not due to a legitimate impediment, but on the contrary, due to its own will or negligence, it must bear the consequences that followed. "The damage that one suffers through his own fault, he must bear, not impute to others" (Reg. 86 in Sexto). It cannot be objected that the prescription was interrupted by two petitions in the years 1847 and 1866 sent by the Order to the ordinariate of Brunnen. For those petitions neither had the valid legal form to interrupt the prescription, nor did they have any effect. Even if, concededly, those petitions could have interrupted the prescription, the prescription had already fully taken effect, since from the year 1746, when the series of pastors from the secular clergy began, to the year 1847, when the first petition of the Order took place, more than one hundred years are counted, therefore, a centennial prescription is observed. Finally, it cannot be objected that the Order, by virtue of privileges granted to it by the Roman Pontiffs, had the right and the power to nominate a brother.

[*Latin ed. p. 327*]

The Roman Rota has ruled in three cases that benefits can be conferred, notwithstanding any contrary observance. However, these privileges do not extend to an observance that has lasted for a very long time, specifically forty years. Indeed, in the Bull of Pope Pius IV, it is expressly stated,

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"those... which, however, be granted for a long time, and perhaps for a very long time, from the beginning of which the memory of men... perhaps does not exist... to secular priests..." The same words are repeated in the Bull of Gregory XIII. Nevertheless, an observance of such great antiquity, which is equivalent to a centennial observance, is excluded from the privilege granted against a contrary observance. For the word "citra" means "beyond" or, rather, "unless it is understood to refer to an observance of such great antiquity." However, in the Bull of Benedict XIV, it is simply stated, "or from other regular benefits truly dependent and subjectively annexed, which... should always have been granted to the brethren... although they have often been conferred upon secular priests through abuse or lack of brethren... for a long time, and perhaps for a very long time." But this Bull, which, being the most recently issued and primarily confirmatory, must be carefully considered, speaks only of an observance of "a very long time." It is clear to no one that an observance of a very long time does not include a centennial or an observance of such great antiquity. Furthermore, privileges granted against the right of a third party must be strictly interpreted. A legitimate prescription requires a certain right that is not inferior to other rights. Therefore, even in the hypothesis – which, however, the Holy Fathers do not consider to be true – that the Order, due to its incorporation, once had the right to present priests from the Order, that right has been abolished by a centennial prescription, and the Church of Erpurgensis is now free anew.

6) Regarding the second question, whether the Order is able to present Maltese priests to the aforementioned benefit, or whether it is obliged to present only secular priests, further consideration is needed. "Whatever may be the case regarding common law," says Pignatelli, "today, regular canons are in no way able to be promoted to parochial or secular benefits by the disposition of the Holy Council of Trent, session 14, chapters 10-11, and by the Regulations of Gancel, 42, in which it is stipulated that 'regular benefits should be conferred upon regular canons, and secular benefits upon secular canons...' To which is added the Constitution of Paul IV, Postquam divina, which deprives regular canons of secular benefits unless they have an apostolic dispensation." Furthermore, there is a certain resolution of the Holy Congregation of the Council from the year 1665 concerning the same question, and also concerning the Olomucensia patronate benefits. A doubt was proposed by a bishop: "Whether Abbots and others... "

[*Latin ed. p. 328*]

328 Acta Apostolicae Sedis - Official Commentary: "Inferior prelates in parishes where they possess full patronage, whether located or transferred by laymen, are obligated to present secular priests to the 'diocesan' bishop, just as laymen were obligated before, 'or whether they can substitute monks...'" To this doubt, the Sacred Congregation responded: "The Sacred

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Congregation has judged that it is obligatory, and that it cannot be done at will, 'to substitute.'" Having therefore considered and diligently examined all these matters, invoking the name of Christ, We, the Auditors sitting for the tribunal, and with only God before our eyes, declare and definitively pronounce our judgment, answering the proposed doubts: Regarding the first: Negatively, that is, it does not follow that the benefice of the curate Erdberg is legitimately incorporated into the Order of the Knights of Malta and the Commandery of Moniberg; regarding the second: Negatively regarding the first part, and affirmatively regarding the second part, that is, the Grand Prior is obligated to present secular priests. Thus we pronounce. Furthermore, we condemn the Grand Prior to bear all judicial expenses, including the honorarium of the opposing party's advocate. We command the ordinaries of the places and the ministers of the tribunals to whom it pertains, to order the execution of this our definitive judgment, and against those who resist, to proceed according to the Sacred Canons and especially chapter 3, session XXI, concerning Reform, of the Council of Trent, employing the executive and coercive means that they shall judge to be more effective and appropriate for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 28th of March, 1914. Franciscus Heiner, Presiding. Aloisius Sincero. Ioseph Mori. From the Chancery of the Holy Roman Rota, April 27, 1914. Sac. T. Tani, Notary.

[*Latin ed. p. 329*]

329 SECRETARIA STATUS. LETTERS. I. TO THE MOST REVEREND FATHER EUGENE J. GRELLIER, BISHOP OF VALLIS VIDONIS, PRESENTED TO THE MOST BLESSED FATHER, REGARDING A COPY OF THE STATUTES OF THE SYNOD OF THE SAID DIOCESE.

Monsignor, It has been very pleasing to the Holy Father to receive a copy of the Statutes of the Synod of Laval, of which Your Eminence had requested that I present it to Him. His Holiness does not doubt that these Statutes, drawn up in conformity with the most recent decisions of the Holy See, will be, if properly observed, a light and a strength for your priests, and at the same time a source of graces and edification for the faithful entrusted to their care. To ensure these happy results, the Supreme Pontiff sends, along with your clergy and your entire people, an affectionate apostolic blessing. With my thanks for the copy that you have offered me, I beg you, Monsignor, to accept the expression of my most devoted sentiments in Our Lord.

Rome, May 12, 1914.

R. GARD. MERRY DEL VAL.

II. TO THE REVEREND FATHER A. CATERINI, S.J., DIRECTOR OF THE PONTIFICIAL GREGORIAN UNIVERSITY, REGARDING THREE

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COINS OF GOLD, DESTINED BY THE MOST BLESSED FATHER BENIGNE TO BE DISTRIBUTED AMONG THE STUDENTS WHO HAVE OBTAINED THE DIGNITY OF DOCTOR WITH THE HIGHEST HONORS.

Reverend Rector, It has brought comfort to the Holy Father Pius X to learn, from the reports of Your Reverence, of the excellent progress of the Pontifical Gregorian University, both in the ever-increasing number of students, and in the diligence and profit with which they apply themselves to ecclesiastical disciplines.

[*Latin ed. p. 330*]

330 Acta Apostolicae Sedis - Official Commentary. Above all, it has been most consoling to His Holiness to observe that certain students, distinguished by their keen intellect and rich store of knowledge, at the conclusion of each course, achieve such success in the examinations as to obtain the Doctorate with a special public commendation from the Examining Commission. The august Pontiff rejoices greatly with the meritorious Gregorian University, and desiring that that spirit of wholesome emulation may be ever more vividly kindled in all the students, which so spurs and attracts young people to the noble endeavors of disciplined and intense study, He graciously designates three gold medals to be drawn by lot in the individual Faculties of Theology, Philosophy, and Canon Law, among those who shall have obtained the Doctorate *summa cum laude*. To this act of paternal benevolence, which will certainly be most welcome to the students no less than to the Superiors and Professors, His Holiness gladly adds, for all, under the auspices of heavenly graces, a special Apostolic Blessing. With sentiments of sincere esteem, I proceed, after this, to reaffirm my devotion. To Your Most Reverend Father, Rome, May 19, 1914. Faithfully in the Lord, R. CARD. MERRY DEL VAL. DIARY OF THE ROMAN CURIA SECRETARY OF STATE IN THE NAME OF [THE HOLY FATHER]. With tickets from the Secretary of State, the Holy Father has deigned to appoint: May 31, 1914. — The Most Reverend Cardinal Giovanni Battista Lugari, Protector of the Hermit Nuns of Saint John the Baptist, called "Le Battistine," of Boma.

[*Latin ed. p. 331*]

Diarium Romanae Curiae 331, June 8th. — Monsignor Donato Sbarretta, titular Archbishop of Ephesus, Assessor of the Most Holy Sacred Congregation of the Holy Office. — Monsignor Luigi Gapotosti, Bishop of Modigliana, Secretary of the Sacred Congregation for the Discipline of the Sacraments. — Monsignor Adolfo Turchi, Bishop of Cajazzo, Secretary of the Sacred Congregation of Religious. June 9th. — The Most Eminent Cardinal Ottavio Cagiano de Azevedo, Protector of the Sisters of Charity, known as the Salesian Sisters of Lech. By Apostolic Briefs, the Holy Father

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deigned to appoint: Assistants at the Pontifical Throne; May 30th, 1914. — Monsignor Giuseppe Müller, titular Bishop of Sarepta and Auxiliary of KolÃn. Domestic Prelates of His Holiness: May 19th, 1914. — Monsignor Mattia Rihtarié, Imperial and Royal Military Superior of Zagreb; Ladislao Grúsz, Imperial and Royal Military Superior of Vienne; and Vittore Várady, Imperial and Royal Military Superior of Budapest. May 23rd. — Monsignor Giuseppe Ruesing, of the diocese of Omaha. May 27th. — Monsignor Francesco Solieri, Rector of the Bohemian College in Rome. June 5th. — Monsignor Francesco Düsterwald, Canon of the Metropolitan Church of KolÃn. By Briefs from the Secretariat of State, the Holy Father deigned to appoint: Extraordinary Secret Chamberlains of His Holiness: May 5th, 1914. — Monsignor Giuseppe Agostini, of the archdiocese of Spoleto. May 22nd. — Monsignor Antonio Schellekens, Prelate of the Cathedral of Breda. — Monsignor Luca I. Evers, of the archdiocese of New-York. May 27th. — Monsignor Alessandro Mori, Provost of Castelgoifredo, in the diocese of Mantova. Honorary Chamberlains in purple of His Holiness: May 15th, 1914. — Monsignor Giuseppe Göbel, of the diocese of Spires. May 17th. — Giuseppe Prill, of the archdiocese of KolÃn. May 29th. — Monsignor Corrado de Preysing, of the archdiocese of Munich (Bavaria). Extraordinary Secret Chamberlains with Sword and Cape of His Holiness: May 21st, 1914. — The Lord Baron Felice Gerliczy de Aran y et Szentgerlistye, of the archdiocese of Strigonia. May 30th. — The Lord Count Massimiliano Berghe de Trips di Horrem, in the archdiocese of KolÃn.

[*Latin ed. p. 332*]

332 Acta Apostolicae Sedis - Commentarium Officiale

HONORS

By Apostolic Brief, the Holy Father deigned to bestow the following honors:

The Order of Saint Gregory the Great, civil class:

April 21, 1914. – To the Reverend Mr. Edward Payen, of the Archdiocese of Lyons.

May 27. – To Mr. Giuseppe Gilles and Mr. Doctor Michele Braubach, of the Archdiocese of Kolin.

May 30. – To Mr. Engineer Giovanni Maria Migone, of the Archdiocese of Genoa.

The Order of Saint Sylvester Pope:

May 23, 1914. – To Mr. Professor Teodoro Meyer-Bachem, of the Archdiocese of Kolin.

The Knighthood of the Order of Saint Gregory the Great, civil class:

April 21, 1914. – To Messrs. Luigi Gautier and Andrea Colcombet, of the Archdiocese of Lyons.

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May 15. – To Messrs. Giuseppe Mündnich, Giuseppe Schweitzer, and Vittore Werner, of the Diocese of Treves.

May 17. – To Mr. Architect Edmondo Capitain, of the Diocese of Rottenburg.

May 21. – To Mr. Enrico Roux de Bézieux, of the Archdiocese of Lyons.

May 24. – To Messrs. Gustavo Somville and Leone Ransy, Belgian journalists.

May 26. – To Mr. Viscount Raimondo Biolley and Mr. Armando Simonis, of the Diocese of Liege.

May 26. – To Mr. Carlo Unterkircher, of the Diocese of Bressanone.

May 27. – To Mr. Tommaso Long, of the Archdiocese of Toronto.

The Knighthood of the Order of Saint Sylvester Pope:

May 20, 1914. – To Mr. Engineer Giovanni Battista Liguori, of the Archdiocese of Sorrento.

The Apostolic Brief dated February 3, 1914, by which the Knighthood of the Order of Saint Sylvester was conferred upon Mr. Marciano Di Pesa, of the Diocese of Avellino, residing in Boston, has been annulled.

NECROLOGY

June 6, 1914. – Bishop Matteo Gaughren, titular Bishop of Ten tira and Apostolic Vicar of the State of Orange and Kimberley.

June 6, 1914. – Bishop Francesco de Pol y Baralt, Bishop of Gerona.

[*Latin ed. p. 333*]

Year VI. - Vol. VI. July 6, 1914. No. 10. OFFICIAL COMMENTARY OF THE ACTA APWÖLIGAE SEDIS. ACTS OF POPE PIUS X. POPE PIUS X. BY PAPAL ACT CONCERNING THE CONFERRAL OF ACADEMIC DEGREES, TO THE COLLEGE OF ANSLEM IN THE CITY. Among the works of our predecessor, Pope Leo XIII, may it rest in peace, there exists, certainly, the College of Anselm, to which the Order of Saint Benedict has been granted a proper seminary in this esteemed city. For the Pope, endowed with wisdom, knew that he could bestow nothing more beneficial upon the religious family of Monte Cassino, which has so greatly deserved the esteem of the Church and of civil society, than if young monks were to gather in Rome from all places and, under the auspices of He who is the Vicar of Christ, be instructed in the discipline and sacred doctrines of their institute. Indeed, in the Roman See of the Papacy, a most abundant source of sanctity and wisdom is open to all who boast of the name of Christ, but especially to religious Orders. "Therefore, the students of the Benedictine family, summoned by the Supreme Pontiff, began to be solidly established in the city in philosophy, theology, and canon law, with us, both our predecessor and ourselves, diligently attending to it, so that in the College of Anselm, the doctrine faithfully transmitted by the Fathers would

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be impartially taught, and that it would abhor any rash novelty. Indeed, at this very time, most pernicious errors, originating from false schools, are spreading widely..."

[*Latin ed. p. 334*]

334 Acta Apostolicae Sedis - Official Commentary: It is necessary that men devoted to religious life, well instructed in the knowledge of sacred things, be such that both their pursuit of Christian perfection may be firmly grounded, and that they themselves may be able to serve as teachers and guides to others on the path of truth. Therefore, from the beginning, it has been the aim of the instructors and students of this College, following the admonitions of the Doctor of Cantuariensis, the Father of the Scholastics, that, "holding the faith without doubt, loving it, and living according to it," they strive, as far as their abilities allow, to investigate the reasons for that same faith. In this pursuit, they have always followed Saint Thomas, whose golden doctrine illuminates minds with its brilliance; whose path and method lead, without any danger of error, to the deepest understanding of divine things. And indeed, the hope conceived has not been disappointed: it is truly remarkable how much the Order of Saint Benedict has grown in recent times. We ourselves rejoice when we see the number of its members already more than doubled; ancient monasteries being restored everywhere, new ones founded; many gymnasia and academies, not a few, being administered with excellent results by the Benedictines; and from these homes of piety and study, eager and zealous men emerge, who will spread the light of the Gospel among the barbarians. Indeed, a certain new vigor seems to have been infused into this Order, by the goodness of God; but we readily acknowledge that Urban has contributed not a little to this. We know that many of those who have been educated in the houses of Saint Anselm have been appointed as superiors of monasteries and schools, and many have been dedicated to the ministry of teaching or to other distinguished duties. Therefore, that this most salutary institution may be further strengthened and increased, both Leo XIII and We ourselves have not failed to offer evidence of our paternal benevolence to the College of Saint Anselm; and we are pleased to see this now increased with a favorable addition. Our Predecessor, having, with his generosity, caused the buildings of the College on the Aventine Hill to be erected, and having established its laws and statutes, granted it a living, vocal oracle, the privilege of conferring honorary degrees and academic titles. Considering this, We have deemed it fitting, as conducive to the glory of God and useful to the Church, to do so.

[*Latin ed. p. 335*]

From the Acts of Pope Pius X, 335: To the Benedictine Order, whose patronage We have steadfastly embraced, so that the granting of this benefit

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may be more secure. Therefore, after mature deliberation, and after having consulted with Our beloved Son, the Cardinal Prefect of the Sacred Congregation for Studies, We, by Our Apostolic authority and by a Motu Proprio, decree that the Benedictine College of Saint Anselm in the City shall perpetually enjoy the privilege of conferring all academic degrees, both in philosophy, and in sacred theology, and in canon law, upon students of both the secular and regular clergy, who have duly attended the College's schools in the aforementioned disciplines, and who have presented a greater portion of their theses before the College's professors.

However, that this privilege may bear more salutary fruits for both the Order and the Church, We desire and command that the Professors of the Anselmian College, in both philosophical and theological matters, always follow the teachings of Saint Thomas Aquinas, and that in the lectures of sacred theology for students who aspire to academic degrees, they use the very text of Saint Thomas. For to abandon Saint Thomas, especially in philosophical and theological matters, as We have already said, can only be to one's great detriment; to follow him is the safest path to a profound knowledge of divine things.

Since all our sufficiency is from God, We earnestly implore Him, that He, who has begun this good work, may Himself perfect it, and for the sake of all heavenly blessings, and as a pledge of Our paternal charity, We impart Our apostolic blessing to all the Professors and students of the College of Saint Anselm.

And We will and command that what has been established here by Us shall remain firm and valid forever, notwithstanding any contrary provisions, even those of special and particularly noteworthy character.

Given at Rome, near the blessed Peter, on the twenty-fourth day of the month of June, in the eleventh year of Our Pontificate.

PIUS PP. X.

[*Latin ed. p. 336*]

336 Acta Apostolicae Sedis - Official Commentary

PIUS PP.

BY PAPAL ACT CONCERNING ITALY AND ADJACENT ISLANDS, FOR PROMOTING THE STUDY OF ST. THOMAS AQUINAS IN CATHOLIC SCHOOLS.

No sincere Catholic has ever dared to question the opinion: "To regulate studies pertains primarily to the authority of the Apostolic See, by which the universal Church is governed, for which provision is made through general studies."

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Indeed, having fulfilled this important duty along with others, especially on September 7th, 1910, when, through letters addressed to all Bishops and superiors of Religious Orders, to whom the proper care of the sacred youth is entrusted, we primarily urged them: "Concerning studies, we earnestly desire and command that scholastic philosophy be established as the foundation of sacred studies..."

The essential point is that the scholastic philosophy which we prescribe as to be followed, we understand to be that which was handed down by St. Thomas Aquinas; and concerning this, whatever has been decreed by Our Predecessor, we desire that all of it remain in force, and, where necessary, we restore and confirm it, and we command that it be strictly observed by all. It will be the duty of Bishops to urge and demand that this be observed, should it have been neglected in seminaries. We also command the same to the Superiors of Religious Orders.

Now, when we have stated here that the philosophy of Aquinas should be followed above all, some have persuaded themselves, or at least do not wish to contradict, that they are obeying Our will, if someone, from among the scholastic Doctors, has taught something in philosophy, even if it is contrary to the principles of St. Thomas.

[*Latin ed. p. 337*]

The acts of Pope Pius X, page 337, state that these [principles] have a mixed character, pertaining to both. But they greatly console the soul. It is clear that, when we give Thomas as the principal guide of our scholastic philosophy, we wish to understand his principles most thoroughly, by which, as foundations, it itself rests. Just as the opinion of some ancients must be rejected, that it makes no difference to the truth of the Faith what anyone thinks about created things, provided that they think correctly about God, since an error about the nature of things produces a false knowledge of God; so, the principles of philosophy established by the Angelic Doctor must be sacredly and inviolably preserved, by which a knowledge of created things is attained that is most fittingly in harmony with the Faith; and all errors of all ages are refuted; and it is certainly permissible to know what belongs only to God and should be attributed to no one else; and wonderfully, both the diversity and the analogy that exists between God and His works are illustrated. Indeed, the Council of Lateran IV expressed both diversity and analogy in this way: "Between the Creator and the creature, such a similarity cannot be noted, that there is not a greater dissimilarity to be noted between them."

Furthermore, these principles of Thomas, if we speak of them generally and universally, contain nothing other than what the most noble of philosophers and the Doctors of the Church had discovered through meditation and reasoning, concerning the proper faculties of human knowledge, concerning the nature of God and of other things, concerning the moral order

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and the ultimate end of life. But such a splendid store of wisdom, which he received from the ancients and which he refined and increased with his almost angelic faculty of genius, and which he applied to preparing, illustrating, and defending the sacred doctrine in the minds of men, neither sound reason wishes to neglect, nor does Religion allow to be diminished in any way. All the more so, if the Catholic truth, once deprived of this strong support, for what purpose would anyone seek a defense for it from any other source?

[*Latin ed. p. 338*]

338 Acta Apostolicae Sedis - Commentarium Officiale. This [philosophy] whose principles are either common to, or certainly do not contradict, the errors of Materialism, Monism, Pantheism, Socialism, and both forms of Modernism. For those things which are the foundations in the philosophy of Saint Thomas, should not be considered as matters of opinion, about which one may dispute on either side, but rather as foundations upon which all knowledge of natural and divine things rests; if these foundations are shaken or in any way corrupted, it necessarily follows that those who study sacred disciplines will not even perceive the meaning of the words by which divine dogmas are revealed by the teaching authority of the Church. Therefore, we have wished to remind all those who are engaged in teaching philosophy and sacred theology, that if any trace, especially in metaphysics, deviated from that of Aquinas, it would be to the great detriment [of the students]. Now, furthermore, we declare this: not only should Thomas not be followed, but those who, perverting or completely despising the principles and pronouncements which are most important in his philosophy, are very far from the holy Doctor. It is easily understood that if the doctrine of any author, or of a Saint, has ever been approved by Us or Our Predecessors with special praise, and also in such a way that praise, persuasion, and command were added to encourage its dissemination and defense, it is approved to the extent that it adheres to the principles of Aquinas, or does not contradict them in any way. We have considered it necessary to declare and to command these things, so that all those who are of both the secular and regular clergy, may have a clear understanding of Our mind and will, and may carry them out with zeal and diligence, as is fitting. This will be accomplished with a special kind of diligence by teachers of Christian philosophy and sacred theology, who should remember that they have been given the power to teach, not in order to communicate their own opinions to their students, but in order to impart to them the doctrines of the Church that have been thoroughly tested. Indeed, with regard to sacred theology itself, the study of this discipline has

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always been illuminated by that philosophy which...

[*Latin ed. p. 339*]

As we stated in the Acts of Pope Pius, X, page 339, we wish to illustrate this point: in common seminaries for clerics, provided that suitable instructors are present, it is permissible to use the books of authors who, drawing doctrines from the fountain of Aquinas, present them in a concise manner; and books of this kind are readily available and highly commendable. However, in order to cultivate this discipline more deeply, as it ought to be cultivated in universities and great academies, and also in all seminaries and institutions to which the power to confer academic degrees has been granted, it is entirely necessary, following the ancient custom, which should never have been abandoned, to hold schools on the *Summa Theologica* itself; moreover, because, by commenting on this book, it will be easier to understand and explain the decrees and acts of the teaching Church that have been issued subsequently. For after the blessed death of the holy Doctor, no Council of the Church has been held in which he, with the resources of his doctrine, has not been present. Indeed, as is known from the experience of so many centuries, and as appears more and more each day, as our predecessor John XXII affirmed: "He [Thomas] illuminated the Church more than all other Doctors; and in his books, a man profits more in one year than in the teaching of others throughout his entire life." This judgment was confirmed by St. Pius V, when he established the feast of St. Thomas, as Doctor, to be celebrated by the entire Church, in these words: "But since it has been the providence of Almighty God that, through the power and truth of the teaching of the Angelic Doctor, from the time that he was assigned to the citizens of heaven, many heresies that arose afterward were confused and refuted, which has appeared often and clearly, especially recently, in the sacred decrees of the Council of Trent, we decree that the memory of him, whose merits deliver the world daily from pestilent errors, should be honored with even greater affection and piety than before." And, as we send forth other pronouncements, many indeed, and most excellent, let us also add these words from Benedict XIV, *Allocutionem habita in Consistorio anno MDCCLXXVIII*, and the Bull *Mirabilis Deus*, dated April 11, 1577.

[*Latin ed. p. 340*]

340 Acta Apostolicae Sedis - The official commentary includes the praises of all the writings of Thomas, especially the Summa Theologica: "Whose doctrines many Roman Pontiffs, our predecessors, have given honorable testimony to, "as We ourselves, in the books which We have written on various subjects, after carefully examining and considering the opinion of the Angelic Doctor, have always admired and gladly adhered to and subscribed to; openly confessing that if anything good is found in those

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books, it is not due to Us, but entirely to the Teacher." Therefore, "so that the genuine and complete doctrine of St. Thomas may flourish in schools, which is most dear to Us," and so that "that method of teaching, which relies on the authority and arbitrary judgment of individual teachers, may be removed," and for this reason "it has a changeable foundation, from which often arise diverse and conflicting opinions... not without great detriment to Christian knowledge," We wish, We command, We decree, that those who hold the office of teaching sacred theology in Universities, large Lyceums, Colleges, Seminaries, Institutes, which have, by apostolic grant, the power to confer academic degrees and honors in that discipline, shall have the Summa Theologica of St. Thomas as the text of their lectures, and shall explain it in the Latin language: and they shall diligently strive to ensure that the students are well disposed towards it. - This has already been commendably practiced in many institutions; and the founders of Religious Orders, most wise men, wished that this should be done in their houses of study, which Our predecessors highly approved of: and, after the time of Aquinas, no other saintly men had another teacher of doctrine as their highest guide, except Thomas. Thus, and in no other way, will theology be restored to its former glory, and all sacred disciplines will regain their order and their weight, and whatever is held by intelligence and reason will, in some way, be renewed. 2 1 2 Acta Cap. Gen. O. P., vol. IX, p. 196. From the letter of Leo XIII, dated June 19, 1886.

[*Latin ed. p. 341*]

From the Acts of Pope Pius X, page 341: "For what reason shall no Institute henceforth be granted the power to confer academic degrees in sacred theology, except that which is prescribed herein, and which must be strictly observed by them. Furthermore, Institutes, or Faculties, of regular Orders and Congregations, which legitimately already possess the power to confer academic degrees in theology or similar documents, either within their own domestic territories, shall be deprived of this power and shall be considered private, if, after three years, for any reason whatsoever, even if it be not voluntary, they do not religiously comply with this prescription of Ours. And this We decree, notwithstanding any contrary provisions."

Given at Rome, at St. Peter's, on the twenty-ninth day of the month of June, in the year 1914, in the eleventh year of Our Pontificate.

PIUS PP. X

CHIROGRAPH CONCERNING THE GANOSSIAN VIRGINS FOR THEIR SACRED MISSIONS OF EDUCATION.

PIUS PP. X. We know that the Daughters of Charity of Canossa, both in various other ways, and especially in their sacred missions among the barbarians, conduct themselves in such a manner that they practice the

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most excellent of all Christian virtues, from which they have received their name, with great benefit to souls. And concerning these Canossian missions, which are located in the territories of China and Eastern India, We have learned that their needs cannot be otherwise satisfied than if a certain house were established for the education and formation of those Canossian virgins who, if called by God, are willing to undertake this task: for this, the apostolic vicars of those regions have signified to Us their desire and full agreement; and this has also been indicated to Us by the superiors of the Canossian houses located there.

[*Latin ed. p. 342*]

342 Acta Apostolicae Sedis - An Official Commentary, the General Superiors, at our request, have petitioned. Therefore, with the authority of this Our document, we gladly grant to the aforementioned General Superior, that, having consulted with Us, she recently purchased a house in Vimercate, in the archdiocese of Milan, and that this house be exclusively dedicated to the training of Sisters of the Canossian Order, who will dedicate themselves to the missions of their congregation; and We command that this house be immediately and solely under the jurisdiction of the Apostolic See, and that it be governed by the General Superior, who resides in Verona, with the opinion of the Cardinal Patron. Given in Rome, at St. Peter's, on the first day of June, in the year 1914, in the eleventh year of Our Pontificate. PIUS PP. X. APOSTOLIC LETTER. I. ERECTION OF THE NEW APOSTOLIC VICARIATE OF "TCHAO-TCHION" IN CHINA. PIUS PP. X. For the perpetual memory of the matter. – Following the solemn precept of the Lord Jesus, who commanded that all nations be taught and baptized in the name of the Father, and of the Son, and of the Holy Spirit, the Roman Pontiffs, pastors of pastors, concerned for the salvation of all peoples, have always diligently striven to establish and increase stations of the Gospel in regions of the infidels, according to the needs and the times. Guided by this counsel, since, with divine help, the number of the faithful of Christ has greatly increased in recent years in the apostolic prefecture of KuamTom; and [the venerable brother John Mary Mérel, titular bishop of Orcista, and also prefect apostolic of the aforementioned mission, having earnestly requested Us, that, after the division of his prefecture, We establish a new mission: We, for the greater increase of the Christian name, and having carefully considered all aspects of the matter with Our Most Reverend and Venerable Brothers, Cardinals Prefects of the Congregation for the Propagation of the Faith, having received their petition –

[*Latin ed. p. 343*]

343 The Acts of the Most Holy Fathers [of the Council] having judged that this [matter] should be conceded, We have decided. Therefore, with Our own initiative, with certain knowledge, with mature deliberation, and

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with the fullness of Our Apostolic authority, from the Apostolic Prefecture of Kuam-Tom, which We erected by similar Letters issued this very day into an Apostolic Vicariate named Canton, by the tenor of the present document, We separate the eastern part, and We establish it as a separate Apostolic Vicariate, which We wish to entrust to the well-deserving Seminary of Paris for missions to foreign lands. We command that this new vicariate be called Tchao-tchion, from the name of the city which is near the port of Swatow, and which seems suitable to the new Apostolic Vicar; and We establish the following boundaries for this vicariate, so that to the north it is limited by the southern boundaries of the Apostolic Vicariates of Kiam-Si and Fo-kien; to the east by the western boundaries of the Apostolic Vicariate of Amoënsis and the China Sea; to the south by the China Sea; and finally, to the west by the eastern boundaries of the Apostolic Vicariate of Hom-Kom and the civil districts of Yun-on, Ho-yun, Tcheung-ning, and Yong-yun; and it shall also include the islands of the China Sea which are found to be located within the jurisdiction of the civil districts within the continental region thereof: We decree that these Our Letters shall always be firm, valid, and efficacious, and shall have and obtain their full and complete effect, and that they shall fully suffice and apply to all those to whom they pertain, now and in the future; and that they should be judged and defined as such, and that they shall be considered void and null, if anyone, by any authority, knowingly or unknowingly, should attempt to alter them in any way: notwithstanding Our and the Apostolic Chancery's rule regarding the investigation of law, and other Apostolic constitutions and all other things to the contrary. Given at Rome, at St. Peter's, under the Fisherman's Ring, on the sixth day of April, in the year 1914, in the eleventh year of Our Pontificate. R. GAKD. MERRY DEL VAL, Secretary of State. L. £ß S.

[*Latin ed. p. 344*]

344 Acta Apostolicae Sedis - Official Commentary II

APOSTOLIC PREFECTURE OF "KUAM-TOM" ERECTED INTO AN APOSTOLIC VICARIATE WITH THE NAME "CANTON"

PIUS PP. X

For the sake of future remembrance.

Since the care of all churches has been divinely entrusted to Us, it is necessary that, when the number of the faithful in a certain region has increased and good works flourish daily, that region be promoted to a higher grade within the ecclesiastical order, so that better and more suitable provision may be made for the administration of sacred things. Therefore, since We have learned that, in the Apostolic Prefecture of Kuam-Tom, the zealous efforts of the members of the Seminary of Paris for foreign

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missions have greatly spread the name of Christ, We erect the eastern part of that Prefecture into a separate Apostolic Vicariate, by similar Apostolic Letters issued on this very day; and We decree that the same Prefecture, lest it remain of lesser dignity than it deserves, be increased in status with equal honor.

After, therefore, having consulted with the Most Reverend Fathers and Lords Cardinals Prefects of the Congregation for the Propagation of the Faith on this matter, by the present document, by Our own motion, with certain knowledge and mature deliberation, and by the fullness of Our Apostolic power, We erect, elevate, and henceforth command that the Apostolic Prefecture, which until now has been called Kuam-□□□, be established as an Apostolic Vicariate, and that it be called "Canton," from the name of the city which is the principal city of that province.

We declare that these Our Letters shall always be firm, valid, and efficacious, and shall have and obtain their full and complete effects, and that they shall fully suffice and apply to all to whom they pertain, now and in the future; and they ought to be judged and defined as such, and to be considered void and null, if anyone, by any authority, knowingly or unknowingly, should attempt to alter them in any way: notwithstanding Our and the Apostolic Chancery's rule regarding the investigation of law, and other apostolic constitutions, and all other things whatsoever that may be contrary.

Given at Rome, at St. Peter's, under the Fisherman's Ring, on the sixth day of April in the year 1914, in the eleventh year of Our Pontificate.

R. CARD. MERRY DEL VAL, Secretary of State.

[*Latin ed. p. 345*]

345. Acts of Pope Pius X, Erection of the Apostolic Prefecture of "Kuang-si" into an Apostolic Vicariate.

PIUS PP. X. For the sake of posterity. — Nothing is to be esteemed more excellent, nor more worthy of sacred regard, than to strive with all one's heart that those who sit in darkness and in the shadow of death may know and adore Christ our Redeemer, the light and life of all mankind. Therefore, we have received with joy the news that the students of the Seminary of Paris are undertaking great and lasting efforts to promote the Christian faith, which is increasingly growing each day in the Apostolic Prefecture of China, commonly known as Kuang-si. And so that those who are zealous preachers of the Gospel may be suitably rewarded with the praise of merit, and that they may be encouraged by Us to strive ever more for the glory of God and the eternal salvation of men, We have decided to raise the aforementioned Apostolic Prefecture to a higher degree of dignity. Wherefore, after careful deliberation with Our Most Reverend and Venerable Fathers, Cardinals, Prefects of the Congregation for the Propagation of the Faith,

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by Our own authority, with full knowledge and mature deliberation, and by the fullness of Our power, by the present document We erect and establish the Apostolic Prefecture in China, commonly called Kuang-si, into an Apostolic Vicariate, retaining the same name and boundaries as before. Furthermore, We grant and bestow upon the same Vicariate all and singular rights, privileges, honors, and indulgences pertaining to Apostolic missions of this kind. We decree that these Our letters shall always be firm, valid, and efficacious, and shall have their full and complete effect, and shall fully suffice and apply to those to whom they pertain, now and in the future; and that in all things, they should be judged and determined by any ordinary or delegated judge, and that they shall be null and void if anyone, knowingly or unknowingly, should attempt to alter them in any way, by any authority whatsoever. Notwithstanding Our own regulations and those of the Apostolic Chancery regarding matters of law, which are not to be set aside, and all other things, even those worthy of special and individual mention, which may be contrary to the foregoing. Given at Rome, at St. Peter's, under the Fisherman's Ring, on the sixth day of the month of June, in the eleventh year of Our Pontificate.

R. CARD. MERRY DEL VAL, Secretary of State.

[*Latin ed. p. 346*]

346 Acta Apostolicae Sedis - , Official Commentary of the SUPREME SACRED CONGREGATION OF THE HOLY OFFICE (SECTION ON INDULGENCES) I DECREE OR DECLARATION CONCERNING THE MANNER OF BLESSING CERTAIN DEVOTIONAL OBJECTS. 1 BY APOSTOLIC AUTHORITY. The Apostolic See has customarily granted, in granting faculties concerning the blessing of crosses, crowns, medals, and other devotional objects, that priests may use the sign of the cross alone, without any formula, without sacred vestments, and without other ceremonies. However, it has often been questioned whether the sign of the cross must be made as many times [as there are different objects to be blessed, or as there are different faculties with which the priest is endowed], or whether in each case a single, general sign is sufficient. And the Most Holy Lord, Pope Pius, of blessed memory, in a private audience with the Reverend Father Commissary of the Holy Office, on Thursday, May 18, 1914, after hearing the unanimous opinion of the General Inquisitors, expressed in the ordinary Congregation held on the preceding Thursday, deigned to decree and declare as follows: "In blessing several similar or different religious objects, which are offered to a priest endowed with several faculties, whether joined together or mixed, and in these, by virtue of the different faculties, in granting indulgences, a single sign suffices for multiple blessings and for the addition of indulgences. And this declaration does not extend to metallic medals in place of scapulars, concerning which a decree of the Holy Office was issued

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on December 16, 1910." Contrary decrees notwithstanding. D. CARD. FERRATA, Secretary. L. £&S. Fr. Dom. M. Pasqualigo, O. P., General Commissary of the Holy Office.

[*Latin ed. p. 347*]

The Most Holy Congregation of the Holy Office, 347 II, DECREE OR DECLARATION CONCERNING PRIESTS DELEGATED FOR GENERAL ABSOLUTION AND THE PAPAL BENEDICTION TO BE IMPARTED TO LAY MEMBERS OF THE THIRD ORDER.

To this Most Holy Congregation of the Holy Office, the following question was presented for appropriate resolution: "Since it is within the power of the Regular Superiors to delegate a priest to impart General Absolution and the Papal Benediction to lay members of the Third Order, it is asked, whether these Superiors can delegate a priest who is not approved to hear confessions, at least if that priest is from among their subordinates, and this is done in their own churches."

The Most Eminent and Reverend Fathers Cardinals, Inquisitors General, on Thursday, May 1st, in the year 1914, assembled in the ordinary Congregation, judged that it should be answered: "Regular Superiors can delegate priests of their own Order to impart General Absolution and the Papal Benediction to lay members of the Third Order in their own churches, even if those priests are not approved to hear confessions."

And the Most Holy Pope, Our Lord Pius, of blessed memory, Pope X, in an audience granted to the Reverend Father, the Commissary of the Holy Office, on Friday, the 28th of the same month and year, deigned to benignly approve the judgment of the Eminent Fathers. Contrary opinions notwithstanding.

D. CARD. FERRATA, Secretary.

L. R. S. Fr. Dom. M. Pasqualigo, O. P., Commissary General of the Holy Office.

III. DECREE OR DECLARATION CONCERNING THE "AS OFT AS" INDULGENCE ATTACHED TO CRUCIFIXES.

It has been reported to the Most Holy Congregation of the Holy Office that certain priests are accustomed to bless crucifixes, asserting that they thereby apply the plenary Indulgence, which the faithful may gain as often as they [desire].

[*Latin ed. p. 348*]

348 Acta Apostolicae Sedis - Commentarium Officiale: Si quis de dictis crucifixis alicui osculum inflexerit: hoc vero auctoritate apostolica. Cum non sit de consuetudine Ecclesiae Romanae, in facultatibus indulgentias applicandi, certos limites discretionis excedere, ad mentem decreti Sacrae Congregationis Indulgentiarum, die 10 augusti, anno 1899, in

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quo exhibentur aliquot regulae, « quibus prae oculis habitis, non solum Ordinariis locorum, sed etiam ipsis christifidelibus, facilis pateat via ad cognoscendum quidnam sit ferendum iudicium de aliquibus indulgentiis, quae passim in vulgo eduntur, dubiamque praeseferunt notam authenticitatis », visa est asserta facultas, aut mere dictata, aut praeposteri interpretatione accepta. His considerationibus moti, Eminentissimi et Reverendissimi Patres Cardinales, generales Inquisitores, die feriae IV, die 10 iunii, anno 1914, censuerunt esse de hac re Sanctissimum consulendum. Sanctitas Eorum, in audientia, die feriae V subsequenti, die 11 iunii, eodem anno, R. P. D. sancti Officii Commissario impertita, mentem suam benigne aperire dignata est, et mandavit sequens decretum expediri: « Facultas benedicendi crucifixos cum indulgentiae plenariae applicatione, toties quoties nuncupatae, sive personaliter a Summo Pontifice, sive quomodocumque ab Apostolica Sede, per tramitem cuiuslibet Officii vel personae obtenta, ita et non aliter est intelligenda, ut quicumque christifidelis in articulo mortis constitutus, alicui ex huiusmodi crucifixis benedictis, etiamsi illi non pertineat, osculatus fuerit, vel quomodocumque tetigerit, dummodo confessus ac sacra Communione refectus, vel si id facere non potuerit, saltem contritus, SSmum Iesu nomen, ore, si potuerit, sin minus corde, devote invocaverit, et mortem tamquam peccati stipendium de manu Domini patienter susceperit, plenariam indulgentiam acquirere valeat. Contrariis quibuscumque non obstantibus ». D. CARD. FERRATA, Secretarius. L.©S. Fr. Dom. M. Pasqualigo, O. P., Comm. G.lis S. O.

[*Latin ed. p. 349*]

Sacred Congregation of the Consistory 349, 8. SACRED CONGREGATION OF THE CONSISTORY I. DECREE: PRIESTS IN ITALY ARE FORBIDDEN FROM GIVING NAMES TO OR PROVIDING SERVICES TO SYNDICALIST SOCIETIES. From numerous dioceses of Italy, especially in the north, grave complaints have reached the Apostolic See concerning the harm that the institution or association called ”syndicalism” inflicts, particularly upon workers and farmers, because, among other things, it actually descends into social strife. Therefore, in order to prevent, as far as possible, this evil, Our Most Holy Father, Pope Pius X, commanded this Sacred Congregation to inform the aforementioned Ordinaries of Italy that his intention and firm judgment is that priests, without any exception of persons or places, cannot give names to these syndicalist associations, nor can they retain a name once given to them, nor can they perform any office within them, nor can they give sermons or exhortations in their favor; and that all priests must be forbidden from these things, so that they may not appear to be participants in the greater evils that often flow from this institution. To carry out the commands of Our Lord, I communicate this to the Ordinaries to whom it pertains, so that they

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may provide appropriately, according to the variety of circumstances. Contrary decrees notwithstanding. Given in Rome, from the Secretariat of the Sacred Congregation of the Consistory, on the 20th of June, 1914. C. CARD. DE LAT, Bishop of Sabina, Secretary. h. © S. Ioannes B. Rosa, Substitute. ACTA, vol. VI, n. 10. - 6-7-1914. 25.

[*Latin ed. p. 350*]

350 Acta Apostolicae Sedis - Official Commentary II

ERECTION OF A NULLIUS PRELATURE

By Decree of the Sacred Congregation Consistorial, dated May 12, 1914, Our Holy Father, Pope Pius X, erected the territory of the Salesian Mission, commonly known as Matto Grosso, in Brazil, separated from the dioceses of Cuiabá and Corumbá, into a Nullius Prelature, to be called Registro do Araguaya, and subjected it as a suffragan to the Archdiocese of Cuiabá.

This Prelature retains the same boundaries as the aforementioned Salesian Mission of Matto Grosso, or the civil municipality commonly known as Registro do Araguaya; thus, it is circumscribed as follows: to the north by the State of Pará, along that stretch which lies between the rivers Xingu and Araguaya; to the east by the course of the Araguaya River, up to the foothills commonly known as Gaiapós; to the south by the same foothills of Gaiapós, together with the rivers Goxim, Piguiri, and São Lourenço; and finally, to the west by the same São Lourenço River, up to its confluence with the river Xingu, so-called.

CONCERNING THE NAME:

A brief Apostolic Bull was issued: April 6, 1914.

— The first Apostolic Vicar of the new vicariate of Kuam-si in China was the Reverend Father Mauritius Franciscus Ducœur, a graduate of the Parisian Seminary for Foreign Missions, and titular Bishop of Barbalissensis.

[*Latin ed. p. 351*]

The Holy Congregation of Rites 351.

THE HOLY CONGREGATION OF RITES

I. DECREE OR DECLARATION CONCERNING PROPER OFFICES.

Adhering to the norms concerning Proper Offices, established by decree on June 3, 1914, the Holy Congregation of Rites now opportunely declares and ordains:

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Since, according to the intention of the Holy Congregation, Proper Offices of the rite of the greater double, lesser double, and semiduple, usually enjoy only the Readings of the Second Nocturn with a proper Prayer, the same Holy Congregation, for the sake of greater uniformity, most willingly grants, by this present decree, that, according to the prudent judgment of any Ordinary or Superior to whom it pertains, the Offices of the universal Church inserted in the Roman Breviary may replace the respective Proper Offices, without a special Indult, which have hitherto been granted to certain dioceses or institutions by the Holy See.

Furthermore, it is granted to the aforementioned Ordinaries or Superiors to retain only certain parts of the Proper Offices already granted, which are in no way or only in a simple form found in the Breviary, while using the other parts of the Psalter and the Common.

Contrary provisions notwithstanding.

June 24, 1914.

Fr. S. CARD. MARTINELLI, Prefect.

L. Eg S. f Petrus La Fontaine, Bishop of Charysteien, Secretary.

[*Latin ed. p. 352*]

352 Acta Apostolicae Sedis — Commentarium Officiale II

DUBIUM DE PROPRIIS DIOECESANIS

A sacra Rituum Congregatione interrogatum est: « Num, virtute decreti diei 3 iunii, omnia et singula Propria particularia iam approbata, tam cum cantu quam sine cantu, attentis reductione festorum quae habentur in ipsis Propriis, et approbatione novi Kalendarii, iterum examini huius S. C. subicienda sint, vel ipsum decretum respiciat tantum nova officia in posterum expetenda et cantum Gregorianum adaptandum officiis iam adprobatis, quae tamen cantu careant? »

Et sacra Rituum Congregatio, omnibus perpensis, respondendum censuit: Negative ad primam partem, affirmative ad secundam. Contrariis quibuscumque non obstantibus. Die 24 iunii 1914.

Fr. S. CARD. MARTINELLI, Praefectus.

f Petrus La Fontaine, Ep. Charystien., Secretarius.

III DECRETUM DE LUCE ELECTRICA SUPER ALTARI NON ADHIBENDA

Expostulatum est a sacra Rituum Congregatione utrum lux electrica, quemadmodum vetita est una cum candelis ex cera super altari iuxta declarationem seu decretum n. 4206 diei 22 novembris 1907, ita etiam in gradibus superioribus ipsius altaris vel ante sacras imagines seu statuas

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super eisdem gradibus et altari positas prohibita sit?

Et sacra eadem Congregatio, audito etiam specialis Commissionis voto, rescribendum censuit: Affirmative et ad mentem.

[*Latin ed. p. 353*]

& The Congregation of Rites 353 states: The Sacred Congregation, having learned of certain abuses in some places, namely that small electric lamps, arranged in various distinct colors, are placed around the shrines of the Saints located on the wall above the altar, and even on the very steps of the altar where the candelabra are placed – which, indeed, is entirely unbecoming of the gravity and dignity of the sacred Liturgy and the decorum of the House of God – having spoken with the Most Holy Father, urges, once again, the Most Reverend Ordinaries in the Lord to diligently ensure that the decrees of the Sacred Congregation are not disregarded, and to instruct the pastors of churches regarding what is permitted and what is prohibited in such cases, according to the decrees. In short, the decree is this: Electric light is forbidden, not only in conjunction with candles made of wax on the altars (4097), but also in the place of candles or lamps that are prescribed before the Most Holy Sacrament or the relics of the Saints. For other parts of the church and other cases, electric lighting is permitted, according to the prudent judgment of the Ordinary, provided that in all things the gravity is maintained, which the sanctity of the place and the dignity of the Holy Liturgy demand (3859, 4206, and 4210 ad 1). It is also not permitted to illuminate the interior part of the ciborium with electric lamps placed in that interior part, so that the Most Holy Eucharist may be better seen by the faithful (4275). And so it was decreed and ordered to be observed. June 24, 1914. Fr. S. CARD. MARTINELLI, Prefect. L. | $iS. Fr. Petrus La Fontaine, Bishop of Charyste, Secretary.

[*Latin ed. p. 354*]

354 Acta Apostolicae Sedis — Commentarium Officiale SACRA ROTA ROMANA. FIESOLE. Under the blessed reign of Pope Pius X, in the eleventh year of his pontificate, on the 17th of March, 1914, the Most Reverend Fathers, Michael Lega, Dean, Ponens, Ioannes Prior, and Antonius Perathoner, Auditors *de turno*, in the case of Fiesole - Iurium, between the Praepositus of the collegiate church of the town of Figline Valdarno, and the canons of that collegiate church, represented by the esteemed advocate Astorri, with the intervention and arguments of the Promoter of Justice, rendered the following definitive sentence. In the Bull which Alexander VI granted in the year 1493 for the erection of the collegiate church in the town of Figline, now Figline, in the diocese of Fiesole (whose collegiate constitution, with regard to the care of souls, is the object of the present action), it is narrated that "in ancient times, the collegiate church, and in those parts, among other churches and parishes,

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was very distinguished; however, with the passage of time, the college of canons in that place ceased, and the aforementioned church ceased to be collegiate." But the desire never ceased from the inhabitants of that town to obtain again a collegiate church: which desire was signified to Pope Alexander VI by Diedius de Figlino, the rector of the parish of that town, and by the municipality itself, and by the family of Serristori, through a humble petition: and the Pope, having deigned to hear these prayers, decreed in the aforementioned Bull: "The aforementioned church is to be erected into a collegiate church with one dignity which is called the praepositura, and in that place the principal dignity shall exist, with one praepositus, and twelve canonries, and as many prebends... vindicating the right of patronage to those who have contributed the endowment. With regard to the care of souls, the same Pope decreed: "that the care of souls of the parishioners of that church shall pertain to the Chapter established, but at the will of the Praepositus of that church for the time being..." This Constitution was interpreted by the chapter statutes established in the year 1510 and lawfully approved by the Ordinary of the place, as is stated in chapter XXVI.

[*Latin ed. p. 355*]

The Roman Rota, number 355, decrees: "Although the care of souls pertains principally to the Rector, and then to the Canons, we have always decreed and ordered that the parishioners should not be led astray by anyone concerning matters necessary for salvation, and that the Rector and the Canons should grant the Sacristan the authority to administer the sacraments to all those requesting them from our parish, and that no other canon or chaplain should intrude, unless particularly requested, in the administration of the sacraments, or unless he has been deputed by the Reverend Rector and Chapter." In the year 1614, these constitutions, as far as the care of souls is concerned, were reformed, and it was decreed: "Furthermore, we decree and order that the care of souls, according to the Bull of erection, pertains principally and entirely to the Rector, if he so wishes, and then to the Chapter, and to the Canons, according to the tenor of the Bull." Then, because the deputation of the Sacristan for the daily administration of the sacraments had not had a happy outcome, it was decreed that each year a canon should be deputed "from among themselves" for the ministry of this care of souls, without any salary or reward. But this provision also, as was not difficult to foresee, did not sufficiently serve the needs of the matter; therefore, Lawrence Della Robbia, the Archbishop of Fiesole, in the sacred visitation of this church, issued a decree concerning the care of souls in the year 1635, in which, first, he lamented the poor administration of the parish ministry, especially because there was contention between the Rector and the Canons "as to whether the care of souls pertained to the Rector himself or to the Chapter," and therefore, without resolving this

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question, he decreed: "that the care of souls should pertain principally 'to the Rector for the time being,'" and he ordered: "That the said Rector, the principal and daily pastor, as well as two of the Canons... should be nominated by the said Rector... and afterwards confirmed in the Chapter..." At the same time, he ordered that no external coadjutors should be chosen for the Chapter, unless "no canon was available who was capable of bearing the burden of the care." For greater firmness and strength of this decree, the Most Holy Council granted its approval and confirmation, which it decreed on September 4, 1839, ordering that the decree "must be put into effect in all respects, but that the nomination of the said two coadjutors should be reserved entirely to the Chapter, and not to the Rector alone." But not all inconveniences were removed; therefore, in addition to the previous decrees, for the conditions of those times and concerning this matter, issued by the great Duke of Etruria on June 10 and August 5, 1786, the Ordinary of Fiesole, Rainieri-Mancini, on December 13 of the same year, decreed: "We say, we decree, and we declare that the care of souls..."

[*Latin ed. p. 356*]

356 Acta Apostolicae Sedis - Official Commentary: "The Prefect for the time being, as per its institution, presides over the exercise of these duties, and this exercise must be carried out in fact both now and in the future by two canons of the chapter, holding the title of perpetual vicars, to be elected by us and our successors, with the prior agreement of both parties." He also ordered that no canon should neglect the care of souls, and furthermore, he approved two of them, in addition, to be assistants to the Prefect and the two vicars for the hearing of confessions. Finally, he decreed that all the other canons should, on feast days, attend to hearing confessions in the collegiate church at a fixed and established time, as determined in the same decree. These arrangements were made to ensure the proper care of souls until the unfortunate laws were issued in the Kingdom of Italy, which undermined ecclesiastical property, by virtue of which the distinguished collegiate church was able to maintain only the provision for the Prefect, since it was attached to the care of souls. The treasury implemented these laws in such a way that, going beyond their intention, it did not even preserve other provisions, destined by time, especially through the decree of the prelate Rainieri-Mancini, for the exercise of the care of souls, namely, four provisions held by two canons as vicars and by two others who were to assist the Prefect and the vicars in the care of souls. This was noted by Octavius Bargilli, the Prefect, who therefore initiated a legal action against the treasury, and, through a judgment of the tribunal of Florence, in the second instance, from December 27th to 30th, 1880, he obtained an annual income of 2016.40 lire for the four provisions attached to the care of souls, and furthermore, an annual sum of 600 lire for expenses of worship. Consequently, the patrimony of the Chapter, which had been

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almost destroyed by the initial implementation of the laws of 1867, was greatly increased. At that time, considering this most miserable condition, or in the year 1873, the canons, who had obtained a pension in place of their provision, decided, in a meeting held, to leave the administration of the goods of the collegiate church, which still existed, to the Prefect, "reserving, however, the right to resume it if a suitable sum is paid for the expenses of worship, drawn from the patrimony of the Chapter." Indeed, the goods which constituted the patrimony of the Chapter, if not all, certainly in the majority, were contained in the treasury of the church, administered by the Chapter, which was to be increased in a suitable measure, a task to which the aforementioned founding bull, granted by Alexander VI, diligently contributed. After Bargilli, the Prefect, as narrated, recovered a large amount of assets, the Prelate of Fesulana, Corsaiii, on...

[*Latin ed. p. 357*]

The Roman Rota, on July 7, 1873, decreed: "That, in addition to the customary parish revenues, the Protopriest shall also receive the ancient personal prebend from the portion of the curacy (that is, from the revenue seized by the state), as well as 600 *librae* for expenses related to the restoration of the cult..."

"3) The four priests who are indispensable to the Protopriest for the proper performance of the parish ministry and for the functions of the sacred liturgy, must be chosen successively by the Protopriest himself, with the prior approval of the Ordinary, and they must be considered as simple assistants and temporary officiants, and removable at the will [of the Protopriest]."

In the same decree, a certain sum, under the title of "congrua," was assigned to the four assistant Protopriests, to be drawn from the same fund of goods, seized by the state, and the administration of this fund was entrusted to a certain procurator, called a "Camerario," to whom a salary of 60 *libellae* per year was assigned.

These arrangements remained in effect, without any complaint from the Chapter, at least until the year 1910, when the possibility of a current dispute was considered. Indeed, the surviving members of the Chapter realized that, with the complete overturning of the old collegiate system, this had been decided; therefore, they sought to have the matter returned to a judicial process.

The Most Holy Father responded to their prayers, and the Most Reverend Ordinary, N.S.O., proposed to resolve the following questions on February 16, 1911:

I. Does a habitual and actual parochial right belong to the Collegiate Chapter of the town of Figline Valdarno, with the exception of the care of souls, which is delegated to the Protopriest and his assistants in that case?

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II and III (under seal).

And on February 16, 1911, a final judgment was issued, which answered the proposed questions in the negative. Both the Canons who were the plaintiffs, and the Protopriest who was the defendant, appealed from this judgment. The Protopriest noted that the judgment was so favorable to him that he should not have been condemned to pay expenses. Therefore, the question is now raised: Should the judgment of February 16, 1911, be confirmed or overturned in this case?

Furthermore, the plaintiffs requested permission to intervene in the case, and they were admitted. To satisfy the proposed question, the Lords stated that all the doubts must be reviewed, and first, whether it is truly the case that a habitual and actual parochial right belongs to the Collegiate Chapter of the town of Figline.

[*Latin ed. p. 358*]

358 Acta Apostolicae Sedis - Commentarium Officiale. The judgment, though not explicitly stated, yet sufficiently clearly, inclines towards a negative conclusion, even concerning the very original foundation, namely: that the Chapter does not possess habitual care; while actual care belongs to the Canons solely by the mandate of the Provost, and this according to the intention of the Bull, from which the Canons became his assistants. However, the same judgment admits that a true innovation was indeed made by the decree of the Bishop of Delia Robbia, so that whatever may have been the original foundation, from the time of this decree, all habitual and actual care must be said to reside in one Provost, who nevertheless has assistants born among the Canons of the Collegiate Church. It is written in the judgment: "Therefore, even if we were to admit that Alexander VI in his Bull intended to transfer all the rights of the parish church of Fighino to the Chapter of the new collegiate church, there is no doubt, by the decree of Della Robbia, approved by the Sacred Congregation of Councils, that a true innovation has been introduced, according to which the Most Reverend Provost of Fighino must be considered and is the true parish priest; while the Canons are to be considered assistants to the Provost. To assist the Provost involves both the burden and the right within the Chapter of Fighino. The burden, because the Canons must exercise the care of souls under the dependence of the Provost; the right, because the Provost cannot admit anyone other than the Canons to assist him in the exercise of the care of souls." But to thoroughly investigate the question, the Lords first considered what was the intention of Alexander VI in the aforementioned Bull, which founded the Collegiate Church of Fighino. And because the matter concerns habitual and actual care, and therefore true and proper parochiality, it is best to keep in mind the genuine concept of both cares, so distinct among the doctors and in the forum, because one can have parochial jurisdiction in habit and in power, although its acts or exercise

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are delegated to another. "He is said to have habitual care," teaches Bouix, *De Parodi*, p. 178, "merely when he, in fact, does not exercise it, nor can he exercise it, but only to some extent can and must provide that it be exercised by someone under the title of a vicar... On the contrary, he is said to have actual care when he, in fact, exercises it. Here, we distinguish habitual care from actual care, in the sense that he who has only habitual care cannot, either legally or factually, exercise it, which must be exercised legally and factually by another." Therefore, it follows that he who has habitual care is neither, nor can be, truly a parish priest, as Bouix infers, *l.c.*, p. 179, and Wernz, *Ius decretalium*, II, n. 821, and H. S. O. in decis. 344, n. 4, part. XI. Indeed, as is noted in decis. 316, part. IV, vol. I, n. 4, before Coccino, among the Recentiores, he who has actual care can delegate it to another.

[*Latin ed. p. 359*]

The Roman Rota [of the Tribunal] in case 359 establishes the exercise of the care [of souls], as if by its vicar, and then the true parish priest remains, who has the actual care, and who can always exercise it in conjunction with his vicar. In the aforementioned Bull [of Pope] Alexander VI, it is stated: "that the care of the souls of the parishioners belongs to the aforementioned Chapter, but only according to the will of the aforementioned Prefect of said church, for the time being." Here, when the care of souls is requested without further specification, it is understood to be the actual care of souls, and not merely the habitual care, as Barbosa explains in *De appellationibus*, verb. signif., appell. 65: "By the appellation of the care of souls, is properly meant the actual care, and not the habitual care, as was held in the terms of Capra, commun, conclus. 9, n. 78, and it was said in Vicenza, 'Prioratus 9 June 1606 before Manzanedo'." Furthermore, the Lords have noted that it is presumptuous to claim that a parish church which is also a collegiate church, or which is elevated to a collegiate status, has the care of souls, or even the actual care, residing with the Chapter, unless the contrary is expressly stated in the foundation; because, as the Rota held, in decision 220, n. 24, part. XIX, vol. I, a parish church can be erected into a collegiate church by itself, without the care being transferred to the college. However, the force of the stated presumption, by itself, is of common law, especially before the Council of Trent, that the care of souls, at least the habitual care, belongs to the college, unless it is proven that the founder intended otherwise. Piton, *Disputationes ecclesiasticae*, p. II, § 44. For the Council of Trent, observing how poorly the care of souls was administered by chapters, or colleges, ordered in chapter 7, session VII, *De reformatione*, that this duty be entrusted to vicars who exercise it as much as possible, while the Chapter retains only the habitual care, as De Luca observes in discourse IX in *Annotationes ad Conc. Trid.*, and as the Rota decided in the aforementioned decision, before Coccino. Furthermore, the force of the aforementioned rule in favor of the collegiate church is very strong and

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is based on common doctrine and jurisprudence, as Pignatelli teaches in *Consultationes*, vol. IX, consultation 150 and 169, and as the decisions of H. S. O. cited by this doctor demonstrate. Therefore, this presumption must be kept in mind when examining what was the intention of Alexander VI in establishing the Collegiate Church of Fighino; and it must also be noted that, under the name of the care of souls, without further specification, the care actually exercised is understood, whether this is joined with the habitual care or not, as was noted above with Barbos., *De appellationibus*, n. 65. But difficulties arise from the words of limitation added: "according to the will of the aforementioned Prefect of said church, for the time being":

[*Latin ed. p. 360*]

360 Acta Apostolicae Sedis - Commentarium Officiale: "It seems to be inferred, as the cited sentence states, that the principal parish is the one presided over by the Prefect, and that the Canons are indeed called to exercise the care [of souls], but at the will of the Prefect and under his authority, direction, vigilance, correction, and punishment, so that the Chapter, or the Canons, are true vicars of the Prefect." Indeed, in the Bull, the Prefect is attributed the collation, provision, and in every way the disposition of the benefices established in the aforementioned church; as well as the correction and punishment of the aforementioned Canons and other persons belonging to the aforementioned church, which are subject to the aforementioned Prefect. Furthermore, the same Bull calls the Prefect and his successors "rectors of the church." Indeed, these things which seem to present a difficulty are resolved, once it is admitted, from a Pontifical constitution, that the Chapter has been granted the care of souls, that is, even the actual care, as we have explained. For, the care of souls entrusted to the college requires a moderator, who, indeed, determines how it must be exercised by each individual. This cumulative parochiality would cause great confusion if each member of the college were able to administer all the functions of the parish indiscriminately and daily. This custom or abuse, as De Luca recalls in *disc. 9, n. 3, Adnot. ad Conc. Trid.*, prevailed in colleges, when the exercise of the care was promiscuous among all members of the chapter or college; therefore, the Tridentine reform provided a remedy for this inconvenience. Indeed, as we have noted from the cited decision before Coccino, it can be the case that one person has the actual care [of souls], but entrusts the exercise of that care to another; thus, it is easily explained that the actual care resides with the college, to be exercised under the moderation, vigilance, correction, and censure of the Prefect, and with limitations determined by him. Furthermore, from the origin of this collegiate church, it is easily explained that, although the Prefect does not possess, in a privative sense concerning the Chapter, the actual care [of souls], nevertheless, this preeminence has been granted to him, and the power to direct the Canons as he sees fit. For, if a collegiate church

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is established, this is primarily due to the zeal and dedication of the rector, who urgently requested its establishment. Therefore, in the collegiate church, only one dignity is established "which is called the Prefect there, and which is principal for one Prefect." Therefore, this power belongs to the Prefect concerning the Canons, not because he possesses it, in a privative sense, concerning the care [of souls], but because he possesses the dignity. The constitution concerning the collegiate church of Fighinen, as the authors have noted, is aptly illustrated by the institution of another collegiate church established in a neighboring diocese.

[*Latin ed. p. 361*]

The Roman Rota, number 361, concerning a case from Arezzo, in the town of Castiglion Fiorentino, at that time, namely in the year 1501, and by a Bull of Alexander VI, by which the parish of Saint Julian is erected into a collegiate church, or chapter, consisting of an archpriest, the sole dignity, and six canons. It is stated that the care pertains to and belongs to the archpriest, the canons, and the aforementioned chapter. Concerning the archpriest, the following is established: "...he who, for the time being, is the archpriest of said church, shall have over the canons and the persons thereof superiority and preeminence, power and jurisdiction, as do and ought to have the principal dignities in collegiate churches of said diocese, both by law and by custom, and shall exercise precisely the same power." This prevailing authority of the archpriest, over time, began to be understood in such a way that it seemed that all actual and habitual care belonged to him, and thus, letters of appointment to the archpriestship were already understood from the year 1642, until the royal decrees of Leopoldine came into effect in the year 1787, and the bishop issued decrees by which the canons were reduced to coadjutors of the archpriest, as if they had exclusive right to parochial administration. However, in the year 1875, the canons appealed to the Sacred Congregation of the Council concerning the archpriest, and the following formulas of doubt were posed: "1. Whether the archpriest and the six canons of the mass ought to exercise jurisdiction and the care of souls in an equal manner, or rather, whether this pertains exclusively to the archpriest in this case? - 2. Whether, without the vote of the canons of the mass, the archpriest can administer the affairs of the parish in this case?" And on December 11, 1875, a rescript was issued: "To the first question: The habitual care belongs to the chapter, and the six canons are concurring, dependent as to the exercise thereof on the archpriest, according to the form determined by the bishop, considering the institution, the constitutions of the chapter, and legitimate custom. - To the second question: Concerning temporal goods, revenues, and emoluments, the administration belongs to the chapter, with provision made for the rest in 1°." From this case and the solution of the question, the present controversy is clearly illustrated, because we learn that it was the

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custom of that region that the archpriest, as the first and sole dignity of the collegiate church, was granted a prevailing disciplinary authority over the canons, although these, by the institution, possessed even actual care, or were concurring, as has been decided. Furthermore, in the acts of the chapter and in the very pontifical letters, it is decided that what pertains to the collegiate church, yet the archpriest is named distinctly, and then the canons, and finally, last of all, the chapter, so that it may be clear both the dignity and the canons, are comprehended and contained within the single college, or as a moral person.

[*Latin ed. p. 362*]

362 Acta Apostolicae Sedis - Official Commentary. Concerning this, they said that, even in our case, the quality of dignity must be distinguished in the Prelate, indeed, the unique dignity annexed to the Prelacy: and this is beyond dispute. The present question is whether he is the sole and true parish priest, so that the Canons, by institution, are his coadjutors in the care of souls, assisting him in the exercise of the pastoral office, if and insofar as he wishes, or according to his will. Indeed, although the care of souls is said to pertain to the Chapter, this limitation is placed by reason of the dignity of the Prelate, who governs the exercise of the care of souls, as was customary and according to the customs of that region. Thus, the authority of the dignity is well reconciled with the letter and intention of the Bull committing the care of souls to the Chapter, and with the prescriptions of the law which favor the Chapters, as has been explained. Since the Prelate is a unique dignity and therefore possesses authority, at least disciplinary authority, over his confreres and also in granting privileges, it does not follow that he possesses habitual and actual care of souls, but rather that he has been entrusted with the office of governing the exercise of the care of souls, which, by a moral person, or by individual Canons, cannot be exercised without great disorder. Thus, the Council of Trent, Session 24, Chapter 12, De reform., explains the office entrusted by new law to the dignities in Chapters, commanding: "Since the dignities in churches, especially in cathedrals, have been instituted to preserve and increase ecclesiastical discipline, so that those who hold them may excel in piety and be an example to others, and may assist the bishops in their work and office, those who are called to them ought to be such as are able to fulfill their office." Barbosa, De can. et dignit., Chapter IV. The name "Prelate" attributed to this dignity well signifies his office as moderator and president, as Barbosa notes, op. cit., c. 9, n. 14, and Pignatelli, loc. cit., vol. IX, consult. 150, n. 3, who teaches: "In these churches, the archpriest, prior, dean, or other, is not as a parish priest, but as the head of the college." Rota c. Cavaler., dec. 274, n. 4, and in this sense he could be called the Rector of the Church in the Bull, but only with a certain application of honor, because, as we will say, truly the rector of a collegiate church is the college of canons. With these things

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presupposed, when the Pope commands that the care of souls pertains to the Chapter, he is to be understood as having committed the habitual and actual care of souls to the Chapter, to be exercised, however, according to the will of the Prelate, or according to the manner and order established by him. This meaning is clearly contained in these words, not only by the explanation of the law, but by the obvious and literal sense. If the Pope intended that the Canons could become coadjutors of the Prelate, at his will, with regard to the bare exercise of the care of souls, by mandate...

[*Latin ed. p. 363*]

The Roman Rota, number 363, and Tice, the Prefect, had not, in fact, been entrusted with this care, but had improperly usurped the title of care; and they had granted what the Prefect himself, with the consent of the Ordinary, could always have accomplished, just as any simple parish priest. Therefore, the words of the Bull were not only inoperative, but were also superfluous. On the contrary, by the very Bull, a substantial change was introduced in the care of souls, as is evident from the fact that the parish priest Diedius was, by necessity, removed from his benefice due to the instituted Prefecture, which is declared vacant from the moment of its institution, and it is stated that he is to be appointed to this Prefecture "if, after a diligent examination, he is found to be suitable for this office," according to the executor of the Bull. If the care of souls had been entrusted to the college in such a way that, while the care remained with the parish priest or vicar habitual and actual, the exercise of the care itself belonged only to the Canons (as De Luca observes, op. cit., p. 46, De par., nn. 2 and 3), it would not be explained why the Prefect, from the moment of his institution, was declared vacant by the Pope, when in this case the parochial benefice was erected to the dignity of the Prefecture, or the head of the college, but remained and persevered essentially the same, with only an external union with the college of Canons who would provide the vicarious care in the exercise of the care. Therefore, the Lords concluded that, from the intention of the Pope, a substantial change had been made in the very subject of the care of souls. The best interpretation of the laws and decrees, especially concerning the exercise of parochial rights, and legitimate possession and concession, as the Sacred Congregation judged in the aforementioned documents from Arezzo and Milan, July 24, 1875, and as Piton, Constitutions and Decrees for Parishes, n. 1404 and following, states, in our case, I say, the interpretation was that the will of the Pope was that the care of souls belonged to the Chapter no less than to the Prefect. Indeed, in the same year in which the pontifical constitution was issued, all the utensils and sacred instruments, directly serving the care of souls, such as the vessel for preserving the chrism and the holy oil, were handed over by Diedius himself, formerly the parish priest and "today the first Prefect of the college" (as it is written in the document), to the Chapter. Then, in the

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year 1510, Constitutions were established, duly approved by the Ordinary of Fesulano, and it is expressly stated that these were established with the authority of the "entire Chapter" or the "Prefect and Canons": concerning the care of souls, chapter XXVI states: "Although the care of souls primarily belongs to the Prefect, and then to the Canons, we have nevertheless always decreed that..."

[*Latin ed. p. 364*]

364 Acta Apostolicae Sedis - Official Commentary: "We decree that the Prefect and Canons shall grant authority to the Sacristan to administer the sacraments to all those requesting them from our parish, and that no other canon nor chaplain shall intrude, unless particularly requested, or unless he has been deputed by the Reverend Prefect and Chapter... Nevertheless, anyone may hear confessions."

Indeed, the Chapter could not have decreed this in any way, unless it possessed at least a titular care of souls. For, as Pignatelli demonstrates, op. cit., consult. 150, no. 7, vol. IX, and Lotter confirms, De re benef., q. 14, no. 88, the Chapter, even if it only possesses titular care, establishes an intention in law regarding the governance and administration of the church and the care of its souls. Therefore, from the fact that it truly administers and regulates the parochial functions through legitimate constitutions, it is clearly evident that the Chapter possesses at least titular care.

Furthermore, the fact that anyone may hear confessions, or by virtue of the mere title of canon, implies that they do not require a special mission and approval from the bishop, since this is implicitly contained in the will of the Ordinary in the granting of the benefice, just as it is in the case of a parochial benefice. I say "implicitly in the will of the Ordinary," because constant jurisprudence of the Sacred Congregation holds that canons, even those with a commitment of care of souls, nevertheless require approval for hearing confessions, and may be subjected to examination. Thus, it was stated in Cingoli - Curae animarum, July 19, 1732; in Aliphana - Curae animarum, 1725, and more recently in Baren - Iurium parochialium, in response to the question: "Do the aforementioned canons, who are designated for the care of souls and are removable at the will of the Ordinary, require the approval of the Ordinary for exercising the care of souls, and a prior examination in this case?" the response was: "Affirmatively, regarding the approval and even a prior examination, if the Ordinary judges it necessary in particular cases." See García s, De benef, part. IX, c. 2, n. 182; Piton., Discept, eccl., part. IV, disc. 104.

Therefore, it must be understood that this was the intention of the Pope who instituted the collegiate church, namely, that the Chapter was granted habitual and actual care, but this care with a certain limitation or subjection to the Prefect, as the principal parish priest.

In relation to the pastoral visitation of the year 1549, we learn that the

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Prefect at that time was Bartholomew de Serristoriis, who "when present, has double distributions and serves the care of souls through the Canons, who are also prefects of the care: the Ordinary Visitor is received by the Provisor..." From this, it is evident that the Prefect gradually relinquished the care of souls, being content for this to be exercised by the Canons, and himself...

[*Latin ed. p. 365*]

65. The Roman Rota alone presides over the administration of the Church. Therefore, it was necessary to reform the old constitutions, which was done in the year 1614, and in chapter 24 it is stated: "The care of souls pertains to the Reverend Prefect, and, if he so desires, then to the Chapter and Canons, according to the tenor of the Bull." Here, it is truly understood and explicitly stated in the Constitutions of the Collegiate Church that the care of souls, both habitual and actual, belongs to the Chapter, but with the right of precedence and priority, according to the will of the Prefect. However, this alteration, established at will in the Constitutions themselves, was contrary to the intention of the Council of Trent, session VII, chapter 7, and was most harmful to the faithful, as lamented by the decree of the Bishop of Della Robbia in the year 1635, which also mentions that a question or disparity existed at that time, "whether the care of souls pertains to the Prefect himself or to the Chapter," a question which, with certainty, did not concern the habitual care, since the old and new Constitutions presupposed this, but rather concerned the actual care, or rather, the exercise of care. The Bishop, in his decree, follows the prescription of the Council of Trent, cited above, chapter, which states that suitable vicars should be appointed for the care of souls in a Collegiate Church which has a united care of souls. He appoints two coadjutors chosen from the Canons, ordering "that, if it should ever happen that none of the Canons were suitable, two capable chaplains should be appointed." The Bishop of Della Robbia, through this decree, brought about a change in the statutes of the Church, because two Canons were changed into coadjutors of the Prefect, and therefore he sought confirmation and approval, even speaking with the Most Holy. And the Sacred Congregation granted confirmation, but made a change in the wording of the decree to the effect "that the designation of said two chaplains should be reserved to the entire Chapter, and not to the Prefect alone," a clause which signifies that the care of souls in a habitual sense is recognized as belonging to the Chapter. Indeed, the right to nominate a coadjutor or vicar belongs to him who has the care, at least habitually, as demonstrated by De Luca, De paroch., discourse 11, number 3, and as held by the Rota, in one Terasonen, decision 798, part I, diverse, and decision 102, part I; decision 599 and 710, part II; decision 16, part VI; decision 530, part IX; decision 48 and 104, part X, Recent. Therefore, since the Bull, after

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the Patrons, calls the Chapter to make a nomination in third place, it must be inferred that the Chapter has the care of souls, at least habitually. For if it did not have the care, neither actually nor habitually, but the Canons were coadjutors of the Prefect at his discretion, and like servants in the care of souls, it would be entirely inappropriate to call them, or to have them participate with the Patrons, in nominating the Prefect; on the contrary, everything is well ordered according to the rules of law, if it is recognized that the Chapter has the habitual care of souls. ACTA, volume VI, number 10. – 6-7-914. 26

[*Latin ed. p. 366*]

366 Acta Apostolicae Sedis - Official Commentary. Although, as has been noted, the Prefect is called in the aforementioned Bull, the "Rector of the Church," this title should be understood more in terms of honor than of jurisdiction; for the term "Rector" can be applied insofar as, above all, he possesses the right of precedence in the care of souls, and he ought to preside over its exercise, just as he presides over the Chapter, which is the sole dignity, but in reality, with regard to the established Collegiate Church, the Chapter is the Rector, and therefore it has established its own constitutions, or rules, for the good governance, administration of the Church, the sacred functions, and the care of souls. Furthermore, the Chapter, according to its already established right, as laid down in the Constitutions of the year 1614, governs the administration of all goods and revenues, including burials; and it is clear that this pertains to him who possesses true parochial rights, as the Doctors attest (De Luca, de paroch., disc. 10, no. 7), and as jurisprudence of the Rota affirms, as in decision 376, part I, Recent, and in many other cases. However, the Chapter has assigned itself the right to demand a fourth part [of the tithes], so that disputes arise regarding this matter against the PP. Conventuals, and in the year 1657, the Fesulana court rendered a favorable judgment for the RR. DD. Prefect and Canons of the aforementioned Collegiate Church of Fighine. Moreover, the Chapter was responsible for the celebration of Mass for the people, receiving an alms from the Prefect if he celebrated. Also, it should not be overlooked the capitular decree of December 29, 1714, in which the Chapter decided on the cession of a certain part of the parochial territory, through a permutation with the Fathers of the Congregation of Valfumbrosa, according to what was pronounced by the arbitrators in order to settle the matter between the representatives: "The RR. Prefect and Canons of the 'Collegiate Church of S. Maria di Figline,' on the one hand, and the R. P. Abbot of the Congregation of 'Vallombrosa,' on the other..." Since the Chapter has a legitimate standing in court or in entering into a compromise, when the matter concerns parochial territory and the related rights, emoluments, and revenues, it must be inferred that the Chapter possesses at least a titular parochial right. This argument is

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necessarily conclusive in favor of the Chapter, so that the Prefect would only have to prove that these powers belonged to the Chapter not by virtue of parochial rights, but either by privilege or by legitimate prescription; but if this is not demonstrated, since the presumption and the common law favor the Chapter, the judgment must be given in favor of the Chapter. (Enghel, in tit. de paroch., n. 5; Reclus, de re paroch., p. I, tit. 5, nn. 63 et 64; and Reiff., tit. de decim., nn. 124, 127; Schmalz., in eum. tit. n. 42 ssq.). Finally, it must be noted whether the constitution of the Chapter has been fundamentally and legitimately altered by the decree of the year 1786 given by the Bishop of Man-

[*Latin ed. p. 367*]

The Roman Rota issued judgments in cases 367 concerning Ranieri, and another in the year 1883 concerning the Bishop of Gorsani. We have already mentioned these decrees when explaining the specific nature of the case. Bishop Mancini-Ranieri, in effect, followed the example of Bishop Delia Robbia, and in this he deviates from previous decrees, because it appears that he either does nothing, or denies the right of parochiality to the Chapter; but he attributes this entirely to the Provost, and reserves for himself the power to appoint four canons as vicars, with prior consultation and approval, and he intends that the other canons should not be exempt from parochial ministry, but that this should pertain to them by virtue of their appointment and the approval of the Ordinary, and to increase the income of the vicars, he suppresses three prebends. The Bishop established this order so that he would not contradict the will of the great Duke of Etruria, who, imbued with the principles of the Gallicans, attributed authority to himself to change or correct ecclesiastical constitutions. It cannot be denied that the decrees of Bishop Mancini were well-considered in the administration of the care of souls, and that they are based on the decrees of the Council of Trent, Session VII, chapter 7, concerning those matters that pertain to the good of souls: but we admit that these decrees have not been abolished by law or custom, and that they have remained in force until our time, although they have not been fully executed, because canons today assert that canons have never been elected as vicars by consultation. Should it therefore be inferred that the constitution of the collegiate church has been changed from its original institution, at least because of an observance of more than a century? Indeed, the Lord has said that this conclusion does not seem to be founded either in law or in fact. Not in law, because the Bishop cannot intend to change the nature of a collegiate church, which is permitted only to the Pope. Furthermore, what he has decreed, whatever his intention, can be reconciled with the habitual parochiality remaining with the Chapter, as explained repeatedly by the cited decision, *magistralis coram Coccino*, published among the *Recentiores*, 316, part IV, volume II. Also, from the cited jurisprudence of the Holy Congregation

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of the Council, it is clear that the Ordinary, in order to properly administer the care of souls, can decide what Bishop Mancini-Ranieri has decided in this matter, without excluding the law of consultation. Indeed, even after these decrees, the constitution of this church remained unchanged, and no one has ever dared to assert, either before the aforementioned decrees, or before the recently enacted laws that overturn them, that the nature of the collegiate church, as determined by Alexander VI, has been completely changed over time. Moreover, all the expenses of worship were borne by the Chapter, as before, and the Provost also received alms when he celebrated Mass for the people; some parochial functions.

[*Latin ed. p. 368*]

The Acts of the Apostolic See – Official Commentary 368, concerning the Canons who, having fulfilled the blessings over the bodies, alternated in turn, claiming the privileges of Chapter Four of the funeral rites and other customary provisions, and it is also customary for all parochial acts to be signed with the seal of the Chapter, just as before. Having considered all these matters, the Lords judged that an answer should be given to the first question, which concerns whether the habitual jurisdiction pertains to the Chapter, while the actual jurisdiction pertains to the Prefect and the Canons legitimately appointed in concert, or to the auxiliary Canons. Therefore, having considered and pondered all these things, invoking the name of Christ, We, the Auditors sitting for the tribunal and having only God before our eyes, declare and definitively pronounce our judgment in response to the proposed question: The judgment is to be declared infirm, or to be reformed, according to the following answers to the individual questions, namely: To T. Affirmative, as regards habitual parochiality; the actual jurisdiction pertains to the Prefect and the Canons legitimately appointed in concert, or to the auxiliary Canons. To II and III, under seal. Thus we pronounce, and we decree that the judicial expenses be compensated between the parties, and we declare that these have been compensated, both in this instance and in the first instance. We command the Ordinary of the place and the ministers of the tribunals to whom it pertains to order the execution of this our definitive judgment, and to proceed against those who resist, according to the norms of the sacred Canons, and especially chapter 3, session XXV, concerning reforms of the Council of Trent, applying the executive and coercive means that they shall judge to be more effective and appropriate for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 17th of March, 1914. M. Lega, Becanus, Presiding. I. Prior. A. Perathoner. L. © From the Chancery of the Holy Roman Rota, April 7, 1914. Sac. T. Tani, Notary.

[*Latin ed. p. 369*]

Diarium Romanae Curiae 369

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DIARIUM ROMANAE CURIAE

SEGRETERIA DI STATO

NOMINE

The Holy Father, Pope Pius X, desiring to contribute to the greater solemnity of the 25th International Eucharistic Congress, which will take place in Lourdes from the 22nd to the 26th of the coming month of July, has graciously deigned to appoint the Most Reverend Cardinal Gennaro Granito di Belmonte to preside over said Congress with the high title of Papal Legate.

To accompany the aforementioned Most Reverend Cardinal Legate, His Holiness has graciously deigned to appoint:

The Most Reverend and Venerable Monsignor Cristoforo Legasse, Apostolic Protonotary *ad instar participantium*;

The Most Reverend Count Filippo Sassoli de' Bianchi, and the Most Reverend Camillo Bellaigue, both Extraordinary Secret Chamberlains of His Holiness.

With tickets from the Secretariat of State, the Holy Father has deigned to appoint:

June 18, 1914. — The Most Reverend Cardinal Aidano Gasquet, Protector of the Institute of the Poor Handmaids of the Mother of God (English Sisters).

June 19. — The Reverend Father Urbano Alvarez, General Assistant of the Order of the Roman Canons of Saint Augustine, Consultor of the Holy Congregation of the Index.

June 20. — The Most Reverend Cardinal Antonio Vico, Protector of the Institute of the Carmelite Sisters of Charity of Vich; of the Congregation of the Franciscan Tertiary Sisters of the Sacred Hearts of Jesus and Mary, of Antequera (Spain); and of the religious of the Institute of Mary Immaculate of Teaching, founded by the Venerable Anthony Mary Claret.

June 21. — The Most Reverend Cardinal Domenico Serafini, Protector of the Daughters of Mary Immaculate of Guadalupe, in Tacuba.

June 22. — The Reverend Father Celestino de Deggendoff, of the Capuchin Friars, Consultor of the Holy Congregation of Studies.

June 26. — The Most Reverend and Venerable Monsignor Raffaele Chimenti, Auditor of Office III of the Vicariate of Rome, Prelate Auditor of the Tribunal of the Holy Roman Rota.

[*Latin ed. p. 370*]

370 From the Apostolic See - Official Bulletin. With Brief Apostolic Mandates, the Holy Father has deigned to appoint: Clerical Prelates of

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the Most Reverend Apostolic Chamber: June 14, 1914. — Monsignor Carlo Cremonesi, of Rome. Domestic Prelates of His Holiness: May 27, 1914. — Monsignor Giovanni Kidd, of the archdiocese of Toronto. May 30. — Monsignor Ladislao Sarna, canon of the cathedral of Premislia. — Monsignor Giuseppe Leterme, of the diocese of Victoria, on the island of Vancouver. June 2. — Monsignor Andrea Sears, vicar general of St. George's, Newfoundland. June 9. — Monsignor Gaetano Grazia, chancellor of the archdiocesan curia of Bologna. June 11. — Monsignor Giovanni Battista Rosa, substitute of the Holy Congregation Consistorial. — The Monsignors: Thomas Broydrick, William Fletcher, James O'Brien, Cornelius Thomas, Michael Francis Foley, and James Francis Donahue, of the archdiocese of Baltimore. June 14. — Monsignor Domenico Burrotti, vicar general of the diocese of Civita Castellana. — Monsignor Andrea Napolitano, archdeacon of the cathedral of St. Agatha of the Goths. — Monsignor Pietro Masson, of the archdiocese of Philadelphia. June 17. — The Monsignors: Louis Hartl, Martin Hartl, and Emilio Dr. Uttendorfer, canons of the metropolitan church of Munich of Bavaria. — Monsignor Carlo Klaiber, dean of the collegiate church of St. Cajetan, in the aforementioned city. June 20. — Monsignor Edward Doyle, of the diocese of St. John, in New Brunswick. With Letters from the Secretariat of State, the Holy Father has deigned to appoint: Honorary Secret Chamberlains of His Holiness: May 27, 1914. — Monsignor Eugenio Martini, archpriest of Poggio Rusco, in the diocese of Mantua. June 6. — Monsignor Robert Napoli, of the diocese of Nardo. — Monsignor Giuseppe Schüller, of the archdiocese of Colonia. June 13. — Monsignor Gaspare Burggraf, of the archdiocese of Munich and Freising. June 17. — Monsignor Caprasio Pallotti, of the archdiocese of Bologna. June 22. — Monsignor Giovanni Norcia, first master of ceremonies of the patriarchal Basilica of the Lateran. June 26. — Monsignor Luigi Schmóger, of the diocese of St. Hippolytus.

[*Latin ed. p. 371*]

Diarium Romanae Curiae 371: Chamberlains of Honour in peacock blue attire of His Holiness: April 20, 1914. — Monsignor Eucherio Pasquinangeli, prior of the cathedral of Orte. June 6. — Monsignor Martino Whelan, of the archdiocese of Toronto. — Monsignor Giovanni Lucchetti, of the clergy of Rome. June 12. — Monsignor Giuseppe Zimmermann, of the archdiocese of Olmütz. June 13. — Monsignor Costantino Jörg, of the archdiocese of Munich of Bavaria. June 24. — Monsignor Adolfo Agostoni, of the archdiocese of Bologna. Chamberlain Secret of Sword and Cape, honorary, of His Holiness: June 18, 1914. — The Most Noble Count Paolo Folicaldi. Chamberlain of Honour of Sword and Cape, honorary, of His Holiness: June 10, 1914. — The Most Noble Signor Giuseppe Boutard, of the archdiocese of Lione. HONOURS: With Apostolic Briefs, the Holy Father deigned to bestow the following honours: The Order of the Golden Militia, called of

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the Golden Spear: June 9, 1914. — To the Most Noble Count Francesco Spee, of the archdiocese of Colonia, already adorned with the Grand Cross of the Order Piano. The Grand Cross of the Order Piano: June 9, 1914. — To the Most Serene Prince and High Count Signor Alfredo Salm-ReifTerscheidt-Dyk, of the archdiocese of Colonia. The Grand Cross of the Order of Saint Gregory the Great, civil class: June 17, 1914. — To the Most Noble Signor Henry Howard. The Commander with plaque of the Order of Saint Gregory the Great, civil class: May 12, 1914. — To the Most Noble Signor Enrico, of the barons Christiani-Kronwald, of the archdiocese of Vienna. The Commander of the Order of Saint Gregory the Great, civil class: May 28, 1914. — To the Most Noble Signor Doctor Nicola Pietro van Spanje, of the diocese of Harlem. — To the following: Francesco Saverio Lemieux, chief judge of the superior court; Tommaso Chapáis, president of the legislative council; Cirillo Tes-

[*Latin ed. p. 372*]

372 Acta Apostolicae Sedis - Commentarium Officiale states, with the president of the savings bank; Napoleone Drouin, mayor, and Boucher de la Bruère, superintendent of public education, in the city of Québec. May 30, 1914. — To the Reverend Doctor Giorgio Digard, professor at the Catholic Institute of Paris. — To the Reverend Arsenio Laurent, professor at the same institute. — To the Reverend Knight Renato Lavollée, of the Archdiocese of Paris. June 6. — To the Reverend Doctor Roberto Paehler, of the Diocese of Fulda. The Order of St. Sylvester Pope: June 16, 1914. — To the Reverend Doctor Guglielmo Raabe, of the Diocese of Fulda. The Knighthood of the Order of St. Gregory the Great, civil class; May 23, 1914. — To the Reverend Giacomo Heavey, of the Archdiocese of Santiago del Chile. May 28. — To the following: Advocate Adiutore Rivard; Giulio Dorion, formerly lieutenant colonel of the Pontifical Zouaves, and Stefano Paradis, of the Archdiocese of Québec. — To the Reverend Giovanni van Thiel-Roelofs, of the Diocese of Bois-le-Duc. June 7. — To the Reverend Leonardo Maria Bonnike, of the Diocese of Harlem. June 9. — To the Reverend Doctor Primo Cavalletti, of the Archdiocese of Bologna. June 17. — To the Reverend William Rolland y de Miota, secretary of the Spanish embassy. — To the Reverend Giuseppe Toth, of Colocsa. The Knighthood of the Order of St. Sylvester Pope: June 1, 1914. — To the Reverend Enrico Hoifacker, of the Archdiocese of Colonia. June 4. — To the Reverend Antonio Cijak, of the Diocese of Trieste. — To the Reverend Guglielmo Busch, a member of the Parliament of the Kingdom of Prussia, of the Archdiocese of Colonia. June 9. — To the Reverend Vittore Lefils, of the Archdiocese of Colonia. June 17. — To the Reverend Edward Groizard y Paternina.

NECROLOGY: June 18, 1914. — The Most Reverend Antonio Padovani, titular Bishop of Canopus and auxiliary of the Diocese of Cremona. June 26. — The Most Reverend Giuseppe Malleret, Bishop of Martinique. July 3.

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— The Most Reverend Rocco Francesco Vucic, Bishop of Segna (Hungary). July 4. — The Most Reverend Emmanuele Torres y Torres, Bishop of Plasencia (Spain). July 8. — The Most Reverend Abele Gilbert, titular Bishop of Arsinoe.

[*Latin ed. p. 373*]

Year Vf. - Volume VI. August 3, 1914. No. 11. OFFICIAL BULLETIN ACTS OF POPE PIUS X TO ALL CATHOLICS OF THE WORLD: EXHORTATION. While almost all of Europe is being torn apart by a most terrible war, of whose dangers, whose calamities, and whose outcome scarcely anyone has yet considered, and which fills us with profound sorrow and horror, we cannot but be deeply affected, and our heart is filled with the most bitter grief, as we are concerned for the safety and the lives of so many citizens, of so many peoples. In such a disturbance and upheaval of all things, we clearly feel and understand that it is our duty to turn the hearts of all the faithful more and more to Him from whom help comes, namely, to Christ, the Prince of Peace, and the most powerful Mediator between God and men. Therefore, we urge all Catholics throughout the world, and especially those of the clergy, to approach the throne of grace and mercy; and furthermore, at the command of the bishops, public prayers shall be held in each parish, so that the merciful God, as if weary of the prayers of the righteous, may quickly remove the destructive flames of war, and may inspire those who are in charge of public affairs to think thoughts of peace and not of affliction. From the Vatican, August 2, 1914. PIUS PP. X. ACTS, vol. VI, no. 11. - 3-8-1914. 27.

[*Latin ed. p. 374*]

374 Acta Apostolicae Sedis - Official Commentary on the Letter to the Most Reverend Father Joseph Scatti, Bishop of Savona and Noli, concerning the Sacred Solemnities to be celebrated next year in Savona, marking the one hundred years since Pope Pius VII, of blessed memory, redeemed the image of the "Mother of Mercy."

Venerable Brother, greetings and the apostolic blessing. — If ever the bark of Peter has been tossed about by the most turbulent waves, it certainly happened when, in the time of Our predecessor, the blessed and remembered Pope Pius VII, the liberty and dignity of the Pontiff, and indeed human decency itself, were so violated that it is scarcely believable that one who committed such an act did not lack the understanding to see how wicked and utterly useless it was. Yet, it is not surprising if the enemies of the Church are so blinded by envy that they despise historical accounts, even those that are most evident. And history testifies that, when they seem to have driven the Church to the very brink of ruin, then the most benign God truly brings peace and glory to the Catholic name through their very actions.

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In this very vein, as a striking example of divine providence, during those times that we have mentioned, it was granted to the faithful, and especially to your elders, that through every kind of expression of their piety, they consoled the venerable Pontiff held captive in Savona. The most holy old man was held in the episcopal residence, which, venerable Brother, is where you reside today; all the Fathers were torn away from his side, their purple robes rent, and some were ordered to exile themselves in another place, or were placed under guard, so that they would not assist the Pontiff with their wise counsel; many bishops of Italy were removed from their sees; everything was mixed with divine and human suffering. Perhaps at that time, men of weak judgment thought that the Catholic Church had been undone. But the Pontiff had the most holy Virgin with him, who is venerated among you under the title of Mother of Mercy; for he invoked her as his patron and intercessor, and it is certainly to be said that he obtained from Jesus, the Spouse of the Church, the end of the tribulations of the venerable old man. The pastor and prince was restored to the City; and after a year, having fulfilled his promise, he redeemed the image of this most merciful Mother with a precious crown.

You write, venerable Brother, that you wish to celebrate both events next year, beginning on the seventh of...

[*Latin ed. p. 375*]

From the Acts of Pope Pius X, number 375, dated the thirteenth day of May, let us solemnly commemorate. We certainly approve of this plan for many reasons; indeed, it is fitting for citizens to emulate the actions of their predecessors, and to show piety towards the Mother of Mercy, and to demonstrate affection for our illustrious predecessor, whose name will forever be associated with Savona. Furthermore, this concerns a matter that will stir up the zeal of the faithful, and, if possible, persuade enemies of Christ that the Church is in Tulle, so that, however much they may strive, they will never achieve anything. No less pleasing is the fact that you intend to hold solemn celebrations, and that a novena of divine preaching will precede them, and that two gatherings will be held, one Marian and one Eucharistic; thus, the honors bestowed upon the most blessed Virgin and upon Pope Pius VII will surely be increased by the fruits of souls. However, in order to honor you, venerable Brother, and the clergy and people of Savona with a special testimony of our will, and to increase, as far as is in our power, the splendor of these festive days, we promise that we will not fail to send someone to represent us during those days. In the meantime, pray to the Mother of Mercy for us and for the entire Church of God; and may God, in return for your piety, reward you with heavenly gifts, of which, as a witness to our paternal benevolence, we impart, from the bottom of our heart, our apostolic blessing to you, venerable Brother, and to the clergy and people of both dioceses. Given in Rome, at St. Peter's, on the twenty-

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ninth day of June, in the eleventh year of our pontificate. PIUS PP. X.

II. TO JAMES CARDINAL GIBBONS, ARCHBISHOP OF BALTIMORE, CONCERNING THE CONSTRUCTION OF A CHURCH IN HONOR OF THE BLESSED VIRGIN IN WASHINGTON.

Beloved Son, greetings and our apostolic blessing. — In Karlova, from which we have often received signs of active charity from Catholics of North America, another example now joins them, and it is not an insignificant one, but a testament to the prudence and foresight of pious women. Indeed, they have been brought together in a group, for the purpose of raising funds for the construction of a church in Washington, near the University, which will be useful both for fostering piety in young people who attend the schools, and for helping all others in the neighborhood. How much we appreciate such a plan scarcely needs to be said. For it contributes greatly to the benefit of the Church, and...

[*Latin ed. p. 376*]

376 Acta Apostolicae Sedis - An official commentary for the benefit of the republic: and those who strive to maturely convert the minds of young people are to be highly esteemed, for they fill them more fully and effectively with the holy fear of the Lord, which is the beginning of true wisdom. Therefore, only one thing remains to be hoped for, that, with the generous and prompt assistance of Catholic people of every order, the council of women, whom we have praised above, may soon achieve a successful outcome, and that, through the art of building, the minds of the young people who come there may be elevated, and that they may eagerly seek wisdom, embrace it with all their heart, and retain it religiously in all their lives. May the Immaculate Mother of God, to whose honor a sacred edifice is to be dedicated, fulfill these hopes, and may we pray that her eyes may be open over the University of Washington, day and night. In the meantime, may the blessing of divine grace and the witness of our apostolic benevolence be with you, beloved Son [Our], to the group of women mentioned above, and finally, to your entire clergy and people, lovingly in the Lord. Given in Rome, at St. Peter's, on the eighth day of July, in the year 1914, in the eleventh year of Our Pontificate. PIUS PP. X. III. TO JANUARY CARDINAL GRANITO PIGNATELLI DI BELMONTE, WHO IS APPOINTED PONTIFICAL LEGATE TO CELEBRATE THE EUCHARISTIC CONGRESS IN THE CITY OF LOURDES. Beloved Son, greetings and apostolic blessing. — Of all the places that have been chosen up to now to hold the annual Catholic gatherings in honor of the most holy Eucharist, none seems more suitable than that one, to which all are soon to come together: that is, to that shrine of Lourdes, where the Immaculate Virgin Mother of God long ago established the seat of her immense benevolence. — From the very beginning of the Christian religion, the Church has experienced the constant help of the Mother of God, indeed, in various ways according to the variety of times,

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but always filled with wonder and full of sweetness. Mary never abandoned that maternal feeling, by which she carefully educated the Bride of her Son, recently acquired through divine blood, until the very last breath; and it may be said that her one work is to care for the Christian people—which

[*Latin ed. p. 377*]

The acts of Pope Pius X, number 377, repeatedly demonstrate that He appears in times of despair, especially to draw the hearts of all to love and devotion to Jesus. This was particularly evident at the grotto of Massabielle. There, moved by the misery of human society, which, having shaken off the bonds of divine law, rushes towards ruin, after having made herself visible and invited men to repentance, she instituted numerous and wondrous healings of the body, in order to prepare the way for healing the wounds of the soul. Then, as if having completed her task, she seemed to wish to demonstrate the heavenly Physician to a suffering world, from whom alone all evils, with which it is afflicted, can be freed. Indeed, it is worthy of note how, there, from a devotion to the Blessed Virgin, a certain ardent love for Christ the Lord has sprung forth, since the miracles of healing, which formerly were almost always performed before the image of the Virgin, now more frequently occur in the presence of the august Sacrament.

Therefore, since these things are so, and especially since the most holy Mary's industry has been so clearly revealed there for the glory of Jesus mystically hidden, we can now affirm that the Eucharistic congress which will soon be held will be carried out under the best auspices, if any other. We desire to draw abundant fruit from this, which we hope will be most plentiful, especially for the salvation of France. We pray that the divine Author and Preserver of the Church may deign to look upon that most noble part of the flock of the Lord, which today languishes in so much distress; that He may strengthen its generous virtue and zeal; and that He may revive the faith of those who scarcely retain the name of Christian, by the fire of His charity. Indeed, with the utmost devotion, we invoke the protection of the Immaculate Virgin for the French people, according to Our paternal will. Since We are accustomed to increase the solemnity of these gatherings by our participation, We shall gladly do so on this occasion as well. Therefore, beloved Son, We announce to you by these letters Our Legate, who will represent Our person at the Eucharistic congress of Lourdes and will preside over that congress in Our name. We have considered it right to entrust you with this most honorable task, having observed your piety, prudence, and diligence. You, above all, must interpret Our great benevolence towards all those who will be present, and you must bring to them the apostolic blessing, which We, with the greatest affection, impart to you, beloved Son.

Given at Rome, at St. Peter's, on the twelfth day of July, in the eleventh

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year of Our pontificate.

PIUS PP. X.

[*Latin ed. p. 378*]

378 Acta Apostolicae Sedis - Official Commentary

SUPREME SACRED CONGREGATION OF THE HOLY OFFICE (SECTION ON INDULGENCES)

I. DECREE: A PLENARY INDULGENCE IS GRANTED "AS OFTEN AS DESIRED" FOR THE BENEFIT OF THE SOULS IN PURGATORY ON THE DAY OF NOVEMBER 2.

June 25, 1914.

Our Most Holy Lord, Pope Pius X, in an audience granted to the Most Reverend Father, Assistant of the Holy Office, graciously accepted the prayers of many, especially of Holy Bishops, and, desiring to provide greater assistance to the souls suffering in Purgatory, on the day that the general commemoration of all the dead is celebrated in the Church, and at the request of the most eminent Cardinals, Inquisitors General, expressed favorably in a Congregation held on Thursday, June 24, in the year 1914, He deigned to grant that on the second day of November of each year, the faithful, having confessed and having received Holy Communion, may, as often as they visit any church or public or semi-public oratory, to pray for the dead, and there pray according to the intention of the Supreme Pontiff, obtain a plenary indulgence, which will be of benefit only to the souls to whom it is applied.

This decree is valid forever, without any brief being required.

Notwithstanding any contrary provisions.

D. CARD. FERRATA, Secretary.

L. % S. f Donatus, Archbishop of Ephesus, Assistant.

[*Latin ed. p. 379*]

The Most Holy Congregation of the Holy Office, 379 II, DECREE OR DECLARATION CONCERNING PARTIAL INDULGENCES, TO BE GAINED ONCE OR MULTIPLE TIMES IN A DAY. Dated June 25, 1914. Our Most Holy Father, Pope Pius, of blessed memory, X, having heard in audience the Most Reverend Father, Assistant of the Holy Office, concerning a proposed doubt, whether partial indulgences can be gained as many times as the prescribed prayers or works are performed, if there is no declaration in the granting of these indulgences regarding whether they can be acquired multiple times in a day or only once; after the esteemed vote of the Most Eminent Cardinals, Inquisitors General, having been

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presented on Thursday, June 24, 1914, in the ordinary Congregation, He deigned to respond benignly: "Affirmatively, that is to say, in such a case, such partial Indulgences can be 'acquired' as many times as the prayers or pious works are performed, as indicated in the grants." Notwithstanding any contrary opinion. D. CARD. FERRATA, Secretary* h. © S. f Donatus, Archbishop of Ephesus, Assistant, HOLY CONGREGATION FOR THE PROPAGATION OF THE FAITH, DECREE: THE TERRITORY OF THE PREFECTURE OF THE SUNDA ISLANDS IS INCREASED. The Prefecture of the Sunda Islands, which the aforementioned Congregation, at the mandate of Our Most Holy Father, Pope Pius, of blessed memory, X, took care to establish last year, the Eminent Fathers of the same Congregation for the Propagation of the Faith, having held their meetings on the 13th of the current month, decreed that it should be increased by the addition of the island of Flores, located in the aforementioned Archipelago, which, by the present Decree, is added to the territory of the Apostolic Vicariate of Batavia.

[*Latin ed. p. 380*]

380 Acta Apostolicae Sedis - The Official Commentary is now being distributed. The opinion of the Most Reverend and Most Reverend Secretary of the Holy Congregation, which was reported in the audience of the same day, has been approved and ratified in its entirety by His Holiness, and He has ordered that a Decree be issued concerning this matter. Given in Rome, from the offices of the Holy Congregation for the Propagation of the Faith, on the 20th of July, in the year 1914. Fr. H. M. CARD. GOTTI, Prefect. L. ₤ß S. C. Laurenti, Secretary.

II. NOMINATION: By a brief apostolic mandate, dated May 10, 1914. — The titular Archbishop of Corinthus and Apostolic Delegate of the new Australian Delegation, Reverend Bonaventura Cerretti, who was previously an Auditor of the Apostolic Delegation of Washington.

SACRED CONGREGATION FOR RITES

OF THE DIOCESES OF BAYEUX AND LISIEUX

CONCERNING THE BEATIFICATION AND CANONIZATION OF THE SERVE OF GOD, SISTER THERESA OF THE CHILD JESUS, A NUN PROFESSED OF THE ORDER OF DISCALCED CARMELITES, IN THE MONASTERY OF LISIEUX.

The Servant of God, Theresa of the Child Jesus, a nun professed of the Order of Discalced Carmelites in the monastery of Lisieux, concerning whose cause an action has been initiated before the Sacred Congregation for Rites, was born the ninth of nine children of Aloysius Stanislus Martin and Maria

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Zelia Guérin, in Alençon, within the boundaries of the diocese of Fismes, on January 2, 1873, and two days later, in the sacred font, she received the names of Mary, Frances, and Theresa.

[*Latin ed. p. 381*]

The Holy Congregation of Rites, having considered 381 examples demonstrating her piety, her filial devotion to her deceased mother, and the devotion of her entire family, decreed that the young girl should be entrusted to the nuns of the Order of Saint Benedict. She diligently read the golden book *De Imitatione Christi* and the books of Holy Scripture, using them to edify herself and her neighbor. Having been afflicted by a serious illness, from which she was miraculously cured, she began to desire greater graces with greater fervor, wishing to dedicate herself entirely to the service of God. However, when her German sisters entered cloistered life, she herself, having returned home, never ceased her efforts until, having fulfilled her vows, in the year 1888 she entered the Carmelite monastery of Lisieux, where, having received the religious habit with the name Thérèse of the Child Jesus, and having completed her novitiate with great merit, she pronounced her solemn vows on September 8th of the year 1890. Three years later, she was ordered to assist the mistress of novices, and she faithfully and piously performed this duty until her death. Having barely completed her twenty-fourth year, the Handmaid of God, afflicted by a fatal lung ailment, was forced to take to her bed. Consumed by the illness, which worsened day by day for five months, and which she bore with great patience, she died in the Lord on September 30th of the year 1897, and was buried with due honors in the cemetery of Lisieux. The reputation for holiness that Sister Thérèse had acquired during her life continued to grow after her death, to such an extent that investigations were initiated concerning her, authorized by the Ordinary. After these investigations were completed and presented to the Holy Congregation of Rites, and when all was clear, the Reverend Father Ruderic of Saint Francis of Paula, the general promoter of the Order of Discalced Carmelites, requested that the cause for her beatification be introduced. With attentive letters from certain Eminences of the Holy Roman Church, from many Reverend Sacred Prelates, and from Superiors of Orders and Congregations of both sexes, the Eminent and Reverend Cardinal Jerome Gotti, the same being the Promoter of the Cause, proposed the following question for discussion at the Ordinary meeting of the Holy Congregation of Rites, convened at the Vatican: "Should a Commission for the Introduction of the Cause be appointed in this case and for this purpose?" And the Eminent and Reverend Fathers entrusted with the safeguarding of the sacred rites, after hearing the report of the Eminent Promoter, and after hearing the voice and written opinion of the Reverend Father Alexander Verde, the Promoter of the Holy Faith, after careful deliberation, decided to write:

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"Affirmatively, that is, a Commission should be appointed, if it pleases the Most Holy." On June 9th, 1914. Subsequently, these matters were reported to our Holy Father Pope Pius X by a report from the Secretary of the Holy Congregation of Rites, and His Holiness, approving the decision of the Holy Congregation, deigned to sign the Commission for the Introduction of the Cause with his own hand.

[*Latin ed. p. 382*]

382 Acta Apostolicae Sedis - Official Commentary on the beatification and canonization of the Servant of God, Thérèse of the Child Jesus, Carmelite Discalced, of the monastery of Lisieux, on the 10th day of the same month and year. Rev. S. CARD. MARTINELLI, Prefect. L.&S. f. Petrus La Fontaine, Bishop of Chariestien, Secretary. II. A QUESTION REGARDING LOCAL FEASTS FOR RELIGIOUS ORDERS: It was inquired by the Sacred Congregation of Rites: Whether feasts which are inscribed in the universal calendar of the Church under the rite of double of the second class with a simple octave, and which are also, in some places, principal feasts of the patron saints of those places or of the titular churches, which are observed by Religious Orders with their own calendar, ought to be celebrated with a common octave, as is the case with the secular clergy. And the same Sacred Congregation, after hearing the opinion of a special commission, considered that the proposed question should be answered as follows: In the negative; but after the feast day, the calendar of the universal Church should be observed concerning the octave. And it issued this decree and ordered it to be observed, on July 8, 1914. Rev. S. CARD. MARTINELLI, Prefect. L. & S. f. Petrus La Fontaine, Bishop of Chariestien, Secretary. III. ANOTHER DECREE OR DECLARATION CONCERNING UNUSUAL CULT TITLES: A decree of the Sacred Roman Congregation, dated March 28, 1914, "Concerning Unusual Cult Titles," was published. The general director of the association, which they call the "Sacred Heart of Jesus" association, considered it opportune to communicate in secret letters to several local Ordinaries certain matters concerning the interpretation of said decree, which were not in accordance with the truth, and which easily cause confusion. And when this came to the ears of Our Most Holy Father Pope Pius X, by whose mandate...

[*Latin ed. p. 383*]

The Holy Congregation of Rites had promulgated, on May 27, 1891, a decree together with another decree of the Holy Office, and knowing the tenor of those documents, and disapproving the manner of acting of the aforementioned Subdirector and his unsuitable zeal, in order to prevent any ambiguity that might arise from those secret letters, he ordered the following to be published: I. The decree of the Holy Roman Church of March 28, 1914, is reaffirmed with the sentence: "In the decisions and further." II.

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The title "Cordis Iesu Eucharistici" can only be permitted in confraternities approved under that title; provided that it is understood in the sense that the most holy Heart of Jesus is understood as present in the Most Holy Sacrament of the Eucharist. III. Since such a title is not canonical or liturgical, but rather suggests novelty, it must never be recognized or admitted in the sacred liturgy. IV. Confraternities that are called by that title can celebrate no other feast as their own, except the feast of the most holy Heart of Jesus with the universal Church, or the feast of the Most Holy Body of Christ. Contrary opinions, whatever they may be, even those deserving of special mention, are of no consequence. July 15, 1914. Fr. S. CARD. MARTINELLI, Prefect of the Holy Roman Church. L. © S. f. Petrus La Fontaine, Bishop of Charyste, Secretary. SACRED CONGREGATION OF STUDIES. CERTAIN THESES, CONTAINED IN THE DOCTRINE OF SAINT THOMAS AQUINAS, AND PROPOSED BY PROFESSORS OF PHILOSOPHY, ARE APPROVED. After our most holy Pope Pius X, by his own initiative, Doctor Angelicus, published on June 29, 1914, healthily prescribing that in all schools of philosophy the principles and the principal statements of Saint Thomas Aquinas be held sacred, some professors from various institutions proposed certain theses to this Sacred Congregation of Studies for examination, which they, as if belonging to the principal teachings of the holy Master,

[*Latin ed. p. 384*]

384 Acta, Apostolicae Sedis— It has been customary to present and defend precise principles, especially those pertaining to metaphysics. This Holy Congregation, having duly examined the aforementioned theses and submitted them to the Most Holy Lord, and acting under the mandate of its own Holiness, responds that they clearly contain the principles and pronouncements of the holy Doctor. These are as follows: I. Potentiality and act divide being in such a way that whatever exists is either pure act, or is composed of potentiality and act as primary and intrinsic principles. II. Act, being perfection, is limited only by potentiality, which is the capacity for perfection. Therefore, in the order in which act is pure, it exists without limit and uniquely; but where it is finite and multiple, it enters into a true composition with potentiality. III. Therefore, in the absolute reason of its own being, God subsists alone; He is the only one who is perfectly simple; all other things, insofar as they participate in His being, have a nature by which their being is restricted, and they consist of real, distinct principles, namely essence and existence. IV. Being, which is predicated of both God and creatures, is not said univocally, nor yet entirely equivocally, but analogically, by analogy of both attribution and proportionality. V. Furthermore, in every creature there is a real composition of substance with secondary forms added, or accidents; and this cannot be understood unless real being is truly distinct in essence. VI. Besides ab-

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solute accidents, there are also relative accidents, or those pertaining to something. Although "pertaining to something" does not, according to its own nature, signify something adhering to another, it often has a cause in things, and therefore is a real entity distinct from the subject. VII. A spiritual creature is, in its essence, entirely simple. But there remains in it a double composition: of essence with existence, and of substance with accidents. VIII. A bodily creature, as regards its very essence, is composed of potentiality and act; these potentiality and act, pertaining to the order of essence, are designated by the names of matter and form. IX. Neither of these parts has being by itself, nor is it produced or corrupted by itself, nor is it placed in a predicate except reductively, as a substantial principle. X. Although bodily nature follows extension into integral parts, it is not the same thing for a body to be substance and to be in quantity. Indeed, substance, by reason of its own indivisibility, is not, although...

[*Latin ed. p. 385*]

The Sacred Congregation of Studies, 385 points, but in a manner that is outside the order of measurement. Indeed, that which confers extension to substance is truly distinct from substance, and is properly called an accident. XI. Matter, marked by quantity, is the principle of individuation, that is, of numerical distinction, which cannot exist in pure spirits, one individual being distinct from another within the same specific nature. XII. It is also through quantity that a body is located in a place, and can exist in only one place at a time, by means of this very mode of being. XIII. Bodies are divided in two ways: some are living, and some experience life. In living beings, so that the moving and the moved may be contained within the same subject, the substantial form, designated by the name of soul, requires an organic disposition, or heterogeneous parts. XIV. The souls of the vegetable and sensitive orders do not subsist by themselves, nor are they produced by themselves, but are merely the principle by which the living being lives, and, since they are entirely dependent on matter, they are corrupted along with the composite, and are therefore corrupted accidentally. XV. On the contrary, the human soul subsists by itself, which, when infused into a sufficiently disposed subject, is created by God, and is, by its very nature, incorruptible and immortal. XVI. This rational soul is so united to the body that it is the same substantial form, and through it, man is what he is: a man, an animal, a living being, a body, a substance, and a being. Therefore, the soul confers upon man all essential degrees of perfection; moreover, it communicates to the body the act of being, by which it itself exists. XVII. Faculties of two orders, organic and inorganic, emanate from the human soul by natural consequence: the former, to which the senses belong, are subject in the composite; the latter are in the soul alone. Therefore, intellect is a faculty intrinsically independent of the organ. XVIII. Immateriality necessarily follows intellectual activity, and in such a way

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that, just as there are degrees of elongation from matter, so too are there degrees of intellectual activity. The adequate object of intellect is commonly being itself; but the proper object of human intellect, in its present state of union, is contained in quiddities abstracted from material conditions. XIX. Therefore, we receive knowledge from sensible things. But since the sensible is not intelligible in actuality, except for the intellect which formally understands, there must be in the soul an active power which abstracts intelligible species from phantasms.

[*Latin ed. p. 386*]

386 Acta, Apostolicae Sedis - Official Commentary XX. Through these species, we directly know the universal; we apprehend the singular through sense; and we also grasp it through understanding by conversion to phantasms; but let us ascend to the knowledge of spiritual things through analogy. XXI. Understanding is followed by, and does not precede, the will, which necessarily desires that which is presented to it as being perfectly good in every respect, but among many goods that are proposed for consideration, it freely chooses. Therefore, choice follows practical judgment; but the will makes it ultimate. XXII. We do not seek to perceive God through immediate intuition, nor do we demonstrate Him a priori, but certainly a posteriori, that is, through those things that have been done, by leading the argument from effects to the cause: namely, from things that are moved and cannot have their own principle of motion, to the first unmoved mover; from the process of worldly things from causes subordinate to one another, to the first uncaused cause; from corruptible things which are equally related to being and non-being, to the absolutely necessary being; from those things which, according to lesser degrees of being, living, and understanding, are more and less, live, and understand, to Him who is most intelligent, most living, and most being; finally, from the order of the universe to the separate intellect which ordered, arranged, and directs things to an end. XXIII. The Divine Essence, insofar as it is identified with its own actualized being, or insofar as it is itself subsisting Being, is presented to us in its metaphysical nature, and through this very thing, it shows us the reason for its infinite perfection. XXIV. Therefore, because God is separated from all finite things by the purity of His being, it follows first that the world could have proceeded from God only through creation; then, the creative power, by which, through Himself, being is first apprehended as being, which cannot be communicated to any finite nature miraculously; finally, no created thing can produce any effect in being, unless it receives motion from the First Cause. Given at Rome, on the 27th of July, 1914. B. CARD. LORENZELLI, Prefect. L. B. S. Ascensus

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Dandini, and Secretary.

[*Latin ed. p. 387*]

The Roman Rota, 387. SACRED ROMAN ROTA, PARIS. NULLITY OF MARRIAGE (ULENS-LELORRAIN). Under the blessed reign of Pope Pius X, in the eleventh year of his pontificate, on the 5th of May, 1914, the Most Reverend and Learned Auditors, Seraphinus Many, Ponens, Franciscus Heiner, and Ioannes Prior, in the Parisian case concerning the nullity of marriage between Leonia Ulens, an actress, represented by her legitimate procurators, the advocates Nazarenus Ferrata and Vincentius Sacconi, and Georgius Lelorrain, who declared that he was submitting to the wisdom of the Holy See, having appealed against the judgment of the Parisian court, with the intervention and discussion of the Defender of the Bond acting ex officio in the matter of the marriage, rendered the following final judgment. Leonia Ulens and Georgius Lelorrain, both of full age, were married on the 14th of June of the year 1906, in the parish of Tantonville (diocese of Nancy), where the bride had resided for several months. Having been separated in their common life for various reasons, and having obtained a civil judgment of separation concerning property and goods, Leonia brought her marriage before the Parisian court, presenting a petition on the 2nd of May of the year 1912, claiming that the marriage was null, due to a defect in the form prescribed by the Council of Trent, since the marriage was contracted before a priest who had no proper title as parish priest of either the bride or the groom. On the 16th of May of the year 1913, the Parisian court issued a judgment declaring that the aforementioned marriage was null. The Defender of the Bond of Paris appealed against this judgment, and thus the case was brought before the Holy Office, where the usual concordat was reached: whether the nullity of the marriage existed in this case. Before the Most Reverend Auditors rendered the final judgment, and after a doubt arose, due to the observations of the Defender of the Bond acting ex officio, concerning the competence of the Parisian court in conducting the aforementioned process, a precautionary validation of the Parisian process was obtained from the Supreme Pontiff on the 25th of April. Regarding the law: At the time when the aforementioned marriage was contracted, it is certain that a marriage is null when it was contracted "otherwise than in the presence of a parish priest, or another priest."

[*Latin ed. p. 388*]

388 Acta Apostolicae Sedis - Official Commentary: "with the license of the parish priest or Ordinary, and two or three witnesses." (Council of Trent, Session XXIV, chapter Tametsi, on the Reform of Marriage). By "parish priest," we understand the one who is the proper pastor of either of the spouses, either by reason of domicile or quasi-domicile; and if either of the spouses is juridically a wanderer, the parish priest of the place where

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he resides at the time of the marriage contract is his proper pastor (omitting controversies regarding others). Therefore, for the marriage to be valid, the presence is required either of the proper pastor in the aforementioned sense, or of another priest with the license of the proper pastor or Ordinary. Regarding the facts: Leonia Ulens and Georgius Lelorrain were married in the town of Tantonville, before the local parish priest, on June 14, 1906; this priest acted in his own right, that is, without any delegation, as is clear from the entire process, and especially from the testimony of the same priest, who, indeed, believed that Leonia had established a quasi-domicile in his parish, in which she actually resided from the end of September 1905. Furthermore, a large part of the current controversy concerns whether Leonia truly established a quasi-domicile in the parish of Tantonville; for if she did establish a quasi-domicile there, the parish priest of that place was Leonia's proper pastor, and therefore the marriage was valid. Indeed, as is clear from the Instruction of the Holy Office, dated June 7, 1867, and from the common opinion of Doctors, and from the constant jurisprudence of ecclesiastical tribunals, two things are required to acquire a quasi-domicile in a certain place: namely, actual residence in that place, and the intention of remaining there for the greater part of the year. In this case, it can be argued that Leonia, when, around September 24, 1905, she arrived in Tantonville with her mother, did not have the intention of remaining there for the greater part of the year. For many years, Leonia, who resided with her mother in Brussels, had been accustomed, after some journey to experience purer air or therapeutic waters, to visit her mother in Tantonville, where her maternal grandmother resided, and to spend one or two months there, in the manner of a rural retreat or recreation; this is clear from the records and is beyond dispute. Furthermore, she did the same in 1905. During the summer months, having left the city of Brussels, Leonia spent several weeks with her mother in the town of Ghâtel-Guyon, to experience the waters, and then, with her mother ill, she went to Tantonville; her intention was, after the period of the rural retreat and after her mother was healed, to return to Brussels, as usual. But things turned out differently: her mother's illness worsened, so that it was impossible for them to return to Brussels; therefore, Leonia remained.

[*Latin ed. p. 389*]

The Roman Rota, case number 389, concerned a matter in Tantonville, where the mother also died, on January 25, 1906. Therefore, it can be conceded that Leonia, from the end of September until January 25, did not reside in Tantonville, except for a precarious reason, namely, as a temporary resident in the customary manner, and to care for her mother; and therefore, she did not acquire a quasi-domicile there. However, after her mother's death, Leonia did not return to Brussels, but went to live in Tantonville with her maternal grandmother, and remained there until June

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14, 1906, when she was married, although this residence was interrupted several times due to various journeys. Therefore, it must be determined whether she acquired a quasi-domicile in Tantonville during that time. Furthermore, the presumption of the law is that Leonia had a quasi-domicile there, and therefore, her marriage was validly contracted. Pope Benedict XIV, in his letter *Paucis*, dated March 19, 1758, to the Archbishop of Goan, stated the following: "We believe it necessary to add something, so that it may be clear what is required to acquire a quasi-domicile. But in this matter, it can only be answered in this way: that, before a marriage is contracted, the person contracting the marriage must have resided for at least one month in the place where the marriage is celebrated." The definitions of the Congregation of Councils on this matter can be found in Fagnano, in chapter *Significat, De Parochiis*. Therefore, a residence of one month before the marriage in the place of the marriage constitutes a presumption of the law, that the contracting party has acquired a sufficient quasi-domicile in that place, and that the marriage was validly contracted. Furthermore, Leonia, although her residence in Tantonville is not counted from January 25, 1906, remained in Tantonville for four and a half months before the marriage; therefore, the presumption of the law is that she had a sufficient quasi-domicile there, and that she validly contracted the marriage. Do not say that this presumption of the law has ceased today, after the Holy Office issued the aforementioned Instruction of 1867, in which it declared that, to acquire a quasi-domicile, it is necessary to have the intention of residing in the place for the greater part of the year. For, on the contrary, the same Holy Office, in the same instruction, decreed that the aforementioned presumption of the law declared by Benedict XIV remains in full force, with these words: "If there is no evidence of this intention (of residing in the place for the greater part of the year), recourse must be had to indications that are available, and which provide moral certainty. But in a hidden and internal matter, it is difficult to have such indications that would reassure the judge: therefore, the rule confirmed by the Supreme Pontiff Benedict XIV must be applied (in the letters *Paucis*, a few weeks ago), so that it may be considered whether..."

[*Latin ed. p. 390*]

390 Acta Apostolicae Sedis - Commentarium Officiale: « Si coniugi in loco matrimonii, saltem per spatium unius mensis, vel per utramque vel alteram partem anni, habituerint. Quod si hoc factum deprehendatur, censendum est, ex praesumptione iuris, intentionem permanendi per maiorem anni partem exstitisse, et quasi-domicilium fuisse acquisitum, proindeque matrimonium esse validum. Verum haec non est nisi praesumptio iuris, non vero de iure: videndum igitur est utrum, ex altera parte, elidatur certis et liquidis probationibus, quae ipsam destruant: quod etiam agnoscit in praefata instructione Sacrum Officium: post verba relata,

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statim addit: « At si praesumptio haec iuris quae ex menstrua habitatione oritur, contrariis probationibus elidatur, quibus certo ac liquide constet praedictum animum nullo modo exstitisse, tunc profecto contrarium proferri debere iudicium manifestum est, quia praesumptio cedere debet veritati. » Porro argumenta quae, ex parte contraria, afferuntur contra hanc iuris praesumptionem, non ea sunt quae illam destruant. Dicunt patroni actricis, si tractatus matrimoniales cum Georgio Lelorrain rupti fuissent, Leoniam reversuram fuisse Bruxellas, ut asserunt plures testes, et ideo ipsam non habuisse intentionem remanendi in loco Tantonville per maiorem anni partem. Verum hoc argumentum non elidit praefatam praesumptionem. Revera plures testes asserunt Leoniae propositum fuisse ut Bruxellas, in domum familialem rediret, in casu matrimonii cum Georgio non contracti. Sed alii testes, e contra, negant hoc propositum, et dicunt Leoniae mentem potius fuisse ut remaneret in pago Tantonville. Sic Albertus Ulens, frater actricis, dicit: « Je viens de répondre que ma sœur avait rompu avec notre maison familiale. Si les pourparlers relatifs à son mariage avaient été rompus, je ne crois pas qu'elle soit revenue à Bruxelles. Je crois qu'elle serait restée à Tantonville, soit chez ma grand'mère, soit dans une villa qu'elle avait eu le projet de louer. Ma sœur est restée à Tantonville de la mort de ma mère à son mariage, et je crois qu'elle y serait restée plus longtemps, si son mariage n'avait pas eu lieu. Ma sœur a fait quelques absences à Bruxelles, comme je l'ai dit. Bien qu'elle ne fût pas chez elle à Tantonville, elle y avait son principal établissement. Il lui était difficile d'habiter ailleurs après la mort de ma mère et la prise de possession de la maison de Bruxelles par mon beau-frère. » Sic etiam Iosephus Gilson, levir actricis, ait: « Mademoiselle Ulens est restée chez sa grand'mère, sans penser, je crois, devoir revenir à Bruxelles, ses sympathies étant plutôt pour la France, que pour la Belgique, et je crois pouvoir dire que, si le mariage dont il fut question plus tard ne s'était pas fait, mademoiselle Ulens ne.

[*Latin ed. p. 391*]

The Roman Rota, number 391, "would not have returned to remain in Brussels. I can cite the fact that during "the first visit my sister-in-law made to Charleroi after the death of "her mother and before the question of marriage with Mr. Lelorrain arose, "she refused to see one of my colleagues who could have been an excel"lent match for her; but she wanted to marry a Frenchman, and remain "in France. She had even spoken to us about the plan she had, in "the event that she did not marry, to take a house in Tantonville, "separate from that of her grandmother, and to settle there." Furthermore, Robert Joseph Lelorrain, brother of the aforementioned, stated: "Usually, "Miss Ulens lived in Tantonville with her grandmother, where, "indeed, she was at home, having her own accommodations; and "I remember very well that the first time, and the only time, that "she received us

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with my wife, it was the day before the wedding, and "she said to us: 'I am very happy to receive you in my home.' I "cannot say how long she stayed each year in Tantonville, but "certainly for a long time, because she loved that "locality very much, especially since she got along very well with "her grandmother and one of her uncles, her uncle Ernest Tourtel, and "less well with her sisters, one of whom lived in Brussels and the "other in France... If the marriage negotiations had been broken off, "she would certainly have retired to Tantonville, and not to Brussels... I "do not know if Miss Ulens was able to make any trips during her "stay in Tantonville, but during the six months that preceded her "marriage, her main residence was in Tantonville." Similarly, Magdalena de Jardina, wife of the aforementioned Robert Lelorrain, stated: "At the time of the marriage, "Miss Ulens was about 27 years old. She lived at that time in "Tantonville with her grandmother... I knew that the parents of my "future sister-in-law had a house in Brussels, but I believe that "at the time of the marriage, that house had been sold, and it was "no longer mentioned. My sister-in-law told me that she thought she "would not be returning to Brussels, where she did not like to be... If "the marriage negotiations had been broken off, she would have remained "in Tantonville with her grandmother, where she lived... Miss Ulens "had come to Tantonville because that is where her grandmother "lived... I do not know if Miss Ulens, during her stay in "Tantonville, made any trips. In my opinion, Miss Ulens' main "residence has always been Tantonville since the death of her mother." Finally, George Lelorrain, also a member of the household, affirmed this; in response to the question: "Would she have returned to Tantonville, if the marriage had not taken place?", he replied: "No, she had her home with her grandmother, and she..."

[*Latin ed. p. 392*]

392 Acta Apostolicae Sedis - Commentarium Officiale « indeed proposed to buy a house in Tantonville »; and to the question: « For what purpose did she go (to Tantonville)? », the answer was: « To live with her grandmother. She remained there after the death « of her mother, because Madame Tourtel was her only relative, and « her uncles, the Messieurs Tourtel, lived in Tantonville. She wanted « to buy a house there: but, naturally, her family convinced « her that she should live with her grandmother »; and to the question: « Did she have any business in Tantonville before her marriage », the answer was: « Yes ». Therefore, it was at least very doubtful whether, in the case of a marriage not contracted, Leonie would have returned to Brussels, or remained in the place of Tantonville; therefore, even her sister, Margaret Ulens, when questioned about this matter, says: « I find it difficult to say « where my sister would have gone to settle if the negotiations « had been broken off ». This argument of the defendants, therefore, which is supported by a very doubtful assertion, cannot overturn the

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aforementioned legal presumption. The defendants claim that the actress herself could not have resided in the place of Tantonville for a sufficient time to acquire a quasi-domicile, because, in fact, she possessed almost nothing there (namely, « only a trunk »). However, in fact, she lived in Tantonville for approximately nine months before the marriage, namely from the end of September of the year 1905, until the day of the marriage, namely June 14th of the year 1906. Furthermore, since Leonie used to go there every year, for a month or two, for the purpose of rural life, the room or rooms that were intended for her use should have been furnished in such a way as to be suitable for a somewhat longer stay. The defendants claim that it is impossible to imagine a reasonable reason why Leonie Ulens would have wanted to remain in the place of Tantonville for more than six months, unless it is said that she wanted to establish a permanent residence there, and thus acquire a true domicile there, which is unlikely. Nor is this argument of the defendants so clear and certain that it overturns the aforementioned legal presumption. For there are not lacking reasons for which Leonie might have proposed to remain in the town of Tantonville for more than six months. She might have proposed to remain with her grandmother, who was old and infirm, to care for her, as she had cared for her mother (as stated by the Reverend Vernier, the parish priest of the town of Tantonville, in his testimony, number 9), or to remain with her grandmother until she, Leonie, was honorably placed in marriage. In either case, according to probable circumstances, a longer stay, and indeed likely more than six months, was required. Furthermore, it should be noted that, in order to establish Leonie's quasi-domicile, it is not necessary to indicate and demonstrate a pre-

[*Latin ed. p. 393*]

The Roman Rota, in section 393, states that this quasi-domicile is sufficient; however, the patrons of the actress do not clearly demonstrate that such a cause is absent. For, in this case, if a quasi-domicile is presumed, then a sufficient cause for this quasi-domicile is also presumed to exist. Furthermore, it is clear from the aforementioned statements that the patrons have not clearly demonstrated that such a cause is absent. However, granted, but not conceded, that Leonie did not have a quasi-domicile at the time in the place of Tantonville, it cannot be concluded that her marriage, contracted in this place, was invalid. For, in this hypothesis, Leonie would have been legally *vaga*, since she had, in fact, deserted her family home in Brussels, without the intention of returning, and therefore, even in this case, the parish priest of Tantonville could validly officiate at her marriage. That Leonie deserted her family home in Brussels without the intention of returning is evident from the records of the proceedings.

1. This is asserted by both George Lelorrain, the husband, and by three witnesses, whose words have been cited above, namely Albert Ulens, the

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actress's brother, Joseph Gilson, her stepfather, and Robert Joseph Lelorrain, the husband's brother.

2. The main proof consists of two facts, especially when considered together, namely, that Leonie sold her share of the family home, to the extent that it pertained to her, and removed her movable property from this home. After the death of her mother on January 25, 1906, the family home, in which Leonie had always lived with her mother, remained undivided among the four heirs, namely Albert Ulens and the three sisters, including Leonie. Furthermore, by a convention initiated at the end of April or the beginning of May of the same year, 1906, three of these heirs, including Leonie, sold their share to the fourth heir, namely Margaret Ulens, who had married Joseph Gilson. Indeed, immediately after the initiation of the convention, Margaret Ulens, along with her husband, began to take possession of the purchased home, although the public deed, executed by a notary, was not written until later, namely on November 30, 1906. All of this is evident from the records. With this sale, Leonie manifested her intention of abandoning her family home, for she relinquished all rights to reside in the house. Not only did Leonie sell her share of the house, but she also removed all movable property that she had in this house, namely, to a storage facility, commonly known as a "garde-meubles." Regarding this, she herself states: "My brother-in-law moved into (the family home) with his 'personal belongings; my brother stopped living there; and I myself, who 'was planning a marriage in Tantonville, did not return. My 'furniture and personal belongings did not leave Brussels, I..."

[*Latin ed. p. 394*]

394 Acta Apostolicae Sedis - Official Commentary: "I had placed them in a storage unit. And if my marriage had 'broken down,' it is probable that I would have returned to Brussels, and most likely to my brother-in-law's, since the family home was quite large enough for that. My last stay in Brussels was in May 1906. At that time, I was still living there. When I returned there at the end of May, I was, on the contrary, staying at my brother-in-law's. On that last trip, I no longer had any personal belongings in my brother-in-law's house. He considered himself to be at home, and there was no longer any reason for my belongings to be stored there." Therefore, Leonia, having lost any right to reside in the family home, and having had her belongings removed, clearly indicated that she would no longer live there, except, as it appears, as a traveler or guest. The actress's defenders state that, with regard to the sale of the house, this was not valid unless a public sale document was drawn up by a notary, which, in fact, occurred on November 30, 1906; and therefore, during the marriage, Leonia maintained her right to a portion of the house that belonged to her. However, they prove their assertion with Article 1341 of the French Civil Code (which is in force in Belgium), by virtue of which, they claim, ownership of real estate is

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not transferred until the agreement is legally recorded in writing. However, the defenders have not correctly interpreted Article 1341: for this article does not deal with the transfer of ownership, but with the proof of contracts in general; thus it reads: "Section II, On testimonial proof (of contracts or obligations). 1341. A deed must be drawn up before notaries or signed privately, of all things exceeding the sum or value of one hundred and fifty francs, even for voluntary deposits; and no proof is received by witnesses in addition to what is contained in the deeds, nor on what is alleged to have been said before, during, or after the deeds, even if it concerns a sum or value of less than one hundred and fifty francs." Therefore, this article deals with the proof of contracts. As for the transfer of ownership, this is dealt with in Article 1583, which contains the following words: "It is perfect (the sale) between the parties, and ownership is acquired by right to the buyer with respect to the seller, as soon as the thing and the price have been agreed upon, even if the thing has not yet been delivered, nor the price paid" (cf. also Article 1138). Nothing could be clearer. Therefore, it is entirely agreed among interpreters of the French Civil Code that, in a sale, ownership is transferred solely by verbal agreement, and before delivery or the execution of a written document; therefore, they say that a sale is a consensual contract, that is, one that is perfected by mere consent, and not a solemn contract, which, by definition, requires a public act for its validity.

[*Latin ed. p. 395*]

The Roman Rota, in judgment 395, demands that the donation of immovable property be proven (articles 931-932). Therefore, in our case, it is easily explained how Joseph Gilson and his wife, Margaret Ulens, peacefully entered into possession of the house immediately after the verbal agreement, long before the written public deed of sale, and also how Leonia correctly stated: "From that moment (beginning in May 1906) I was still in my own home. When I returned at the 'end of May, I was, on the contrary, at my brother-in-law's. On that last trip, I had no further personal business in my brother-in-law's house." Therefore, as stated above, Leonia, at the end of April or beginning of May in the year 1906, truly and properly sold the part of the family home that belonged to her, and relinquished any and all rights she had in that house. It should not be said that Leonia retained a room in the family home: for this would be a sign that she had not lost the desire to return. For 1. The retention of a room does not harmonize well with the fact of the sale of the house: in the public act of sale, on November 30th of the year 1906, there is no mention of the retention of a room; furthermore, while the witnesses testify about the sale of the house, they present this sale as complete and pure, without any restriction or exception, as it was indeed later written in the public act. - 2. The retention of a room does not harmonize well with the fact of the removal of movable goods from the family home: for these movable goods were, in fact, especially those that adorned

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Leonia's own room; if Leonia retained this room, why did she not also leave her own movable goods in it? This would have been much simpler, and would have incurred no expenses: while the deposit of movable goods in a rented storage space could be done and maintained at some expense. 3. The retention of a room does not harmonize well with what Leonia said in her first deposition, nor with what she said in her second deposition (in which she changed some things that she had asserted in the first); for she says: "I could have very well stayed there myself (in the family home), which, moreover, my brother-in-law and my sister insisted on, during the family council, where they tried to make me give up my project of marriage with Mr. Lelorrain. Everything in the attitude of my brother-in-law and my sister afterwards proved to me that they were always only trying to keep me with them, if this marriage, to which they never ceased to object, did not take place or went badly. At the time of the division at the end of April, they begged me not to remain alone, nor anywhere other than with them. In fact, I could only settle in with them." These exhortations and prayers, which Leonia's sister and brother-in-law used to induce her to return, show that Leonia did not retain a room.

[*Latin ed. p. 396*]

396 Acta Apostolicae Sedis - Official Commentary in the family home: for it is not thus that one usually acts with those who have a strict right of return; for people are not usually invited to come to their own home. 4. Witnesses who are more fully informed about this matter, namely, Joseph Gilson himself, the purchaser of the family home, and his wife, Leonia's sister, have absolutely nothing to say about the retention of a room, even though they were asked about this matter; indeed, Joseph Gilson openly states: "As I have just said, at the time of her marriage, Miss Ulens no longer had • in her family home in Brussels, neither an apartment nor furniture, • since, like her brothers and sisters, she no longer had any rights • in the house, and we had completely made way for her even before the engagement; the furniture that belonged to her had been placed in a storage unit." Therefore, this retention of a room, of which some witnesses speak, cannot be understood in the strict sense, but only in the sense that Leonia herself has explained, namely, that her sister and brother-in-law, the purchasers of the family home, invited her to return to the aforementioned home, should the marriage contract be broken. However, this invitation, having arisen from mere benevolence and without any agreement, and thus being able to be withdrawn, could not provide Leonia with a firm basis for having a firm intention of returning to that home, as a resident. Therefore, it must be noted that Leonia, by selling the part of the house that was hers, and by not retaining any room in it, and by removing all her movable property from it, clearly and abundantly demonstrated that she had no intention of returning there, at least as a resident and inhabitant. Nor is it to be said

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that Leonia kept servants in the family home: for this is the main sign of maintaining a residence. Indeed, in her second interrogation, Leonia states that she employed the servants, about whom we are speaking, in her own service around April 20th or 23rd, that she paid them their wages, and that they remained in the house until June 3rd. But nothing can be inferred from this that would change the conclusions reached so far: for, on the one hand, the presence of these servants in the Tantonville location was useless: for there, in her grandmother's house, Leonia was not lacking servants, who had previously provided services to the ailing mother and to the grandmother, and to herself; on the other hand, their presence was useful in the Brussels home, since Leonia, several times before the marriage, intended to return to that place, as a traveler and guest, to finalize certain matters, and she did indeed return. Therefore, it was appropriate that these servants, before following the new spouses to the husband's home, remain in that place where their presence seemed more useful, namely, in the Brussels home.

[*Latin ed. p. 397*]

The Roman Rota has rendered a judgment of 397 pages. Therefore, this fact, namely, the sale of the family home, cannot outweigh the three facts previously demonstrated: that Leonia sold the house, that she retained no room within it by right, and that she removed her movable goods from it. Furthermore, the advocates for the plaintiff also allege Roman law, specifically, *L. Ea quae*, 32, *D. Ad Municipalem*, 50, 1, "That which a woman has betrothed, does not change her domicile before the marriage is contracted." It is certain, according to Roman law, as stated in the aforementioned law, that a betrothed woman does not lose her domicile except through the very celebration of the marriage; thus, if she leaves her paternal home with her goods, and even with the intention of not returning, and begins to reside in the place where her betrothed resides, all of these things are considered null and void if the marriage does not take place; thus, in this case, it must be said that the betrothed woman has retained her paternal domicile. The reason for all of this is that the abandonment of the domicile by the betrothed woman, the removal of movable goods, and the commencement of residence in the domicile of the betrothed, were all done under the condition that the marriage would take place; therefore, since the condition was not fulfilled, the aforementioned actions are legally null and void. This provision of Roman law, which is based on natural law, is also valid in canon law, and has been applied by the Holy See in *Parisien. Nullit. Matr.*, on January 27, 1912 (see *Acta Apostolicae Sedis*, vol. IV, p. 282). However, this most wise law must be understood in its true sense: 1. It concerns only the betrothed woman; furthermore, in our case, it is not established that Leonia was already betrothed to George, since she sold a part of her house.

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Indeed, she states in her second deposition: "In the first days of May, I went to Brussels to consult my director of conscience, Mr. Devael. After the interview I had with him, I was determined to marry Mr. Lelorain, and I told him so through the intermediary of my aunt, Mrs. Albert Tourtel. As for him, he had already told me, before May 5th, that, for him, he was completely decided. It had been agreed, since the end of April, that the family home would be given to my brother-in-law and my sister, Mr. and Mrs. Gilson. After my trip in the first days of May, of which I have just spoken, from May 5th, I stayed for a few days in Brussels after seeing my director and making my decision about the marriage, in order to help my sister and my brother-in-law with their move." Therefore, according to the plaintiff herself, the sale was made at the end of April, while she did not decide to marry George until the beginning of May; although, according to the statements of some witnesses, there may be some doubt about the time of the sale, nevertheless, from Leonia's deposition, at least it can be concluded...

[*Latin ed. p. 398*]

398 Acta Apostolicae Sedis - The official commentary preceding the sale of the property with the intention of marriage. The same conclusion is drawn from the testimony of Joseph Gilson, who, as the buyer, along with his wife, is presumed to know the family home better; he states at 6: "During the family gathering, of which I have already spoken, which took place in Brussels, in the first days of May, specifically the first Sunday of May 1906, before the engagement of Miss Ulens, it was agreed among all those involved that my wife, Madame Gilson, née Ulens, would repurchase the share of her brothers and sisters, and would take possession of the family home within her share. This was a verbal agreement, but definitive, and subject to no conditions: the deed was not signed until the following month of November, but my wife and I moved into the house immediately as the sole owners, bringing our furniture with us, while the brothers and sisters had their belongings removed. This taking possession as the sole owner took place before Miss Leonie Ulens' second trip to Brussels: and therefore, before the engagement." Therefore, although the plaintiff and Joseph Gilson do not agree on the date of the sale, they do agree on the main point, which is the only thing that concerns us, namely, the priority of the sale in relation to Leonie's engagement. Furthermore, the aforementioned law does not in any way prohibit a major-aged woman from exercising her right to change her domicile; as Fourneret states in his excellent work, *Du domicile matrimonial*, p. 53: "Would Modestin have wanted to say, for example, that the fiancée is incapacitated from changing her domicile between the engagement and the marriage? For what reason? Everyone can establish their domicile wherever they wish, except, as we have seen, where their stay has been prohibited. Therefore, if it pleases the fiancée to settle in

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the city where she will later contract marriage, to transport there a significant amount of her possessions and fortune, as common law requires as proof of the change of domicile, one does not see why her status as a fiancée, about to marry, and precisely in the place where she is settling, would make the meaning of the action she is taking so clear, doubtful." Since, therefore, from the three facts presented above, Leonie, being of adult age, has sufficiently demonstrated her intention to leave her parental home, the following cannot be objected to her: L. Those things, as previously related; she has used her right. 3. Furthermore, from the series of facts and the entire process, it is clear that the sale of the family home in Brussels was entirely independent of Leonie's engagement and marriage, so that, whether this marriage takes place or not, the sale would remain valid: for it was carried out in accordance with article 815 of the code.

[*Latin ed. p. 399*]

The Roman Rota, number 399, concerning a civil law of Gallic origin (which prevails in Belgium), states that, when dealing with indivisible property among multiple heirs, if at least one of them requests a division, the division must be carried out. Therefore, in this case, since the heirs agreed on the division to be made, the division should have been carried out. This law has nothing in common with the present case. Furthermore, the advocates for the plaintiff argue that the status of being "vagrant" is an extraordinary situation, and one that is not to be presumed, and therefore must be demonstrated with irrefutable arguments. It is certain that the status of being "vagrant" is an extraordinary, odious, and one that is not to be presumed, according to Roman law, namely L. 29, D. Ad Municipalem, 50, 1: "It is difficult for anyone to be without a domicile"; and this has been recognized on several occasions by the Holy Office, especially in the aforementioned decision of the Paris tribunal, Nullit. Matr., of January 27, 1912 (Acta Apostolicae Sedis, vol. IV, no. 281). However, this status of being "vagrant," although extraordinary, is nevertheless possible, especially when dealing with those who are not truly vagabonds, but who, having abandoned their own domicile, have not yet firmly settled in another place. Therefore, in this case, it is sufficient to prove that someone is "vagrant" if it is also demonstrated that they have withdrawn from their former domicile, and that they have no intention of returning there; and this has been shown to have occurred in the case of Leonia, as evidenced by the arguments presented above. Having considered and carefully pondered all of these matters, and invoking the name of Christ, We, the undersigned Auditors, sitting in judgment for the Tribunal, and with only God before our eyes, having overturned the judgment of the archiepiscopal court of Paris, We decree, declare, and definitively pronounce: That there is no basis for declaring the marriage between Leonia Ulens and Georgium Lelorrain null and void, and therefore We answer the proposed question in the negative.

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Furthermore, We order that the same Leonia Ulens be held responsible for all the expenses of the proceedings. Thus We pronounce, ordering the Ordinaries of the places and the officials of the tribunals to whom it pertains to enforce this Our definitive judgment, and to proceed against those who resist, according to the sacred canons, especially chapter 3, session XXV, concerning reforms, of the Council of Trent, using the executive and coercive means that are most effective and appropriate for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on May 5, 1914. S. Many, Presiding. F. Heiner. I. Prior. L. * From the Chancery of the Holy Roman Rota, May 19, 1914. Sac. Tancredes Tani, Notary.

[*Latin ed. p. 400*]

400 Acta Apostolicae Sedis - Official Commentary

SIGNATURE OF THE APOSTOLIC HOLY OFFICE

JURISDICTION CONCERNING NULLITY OF SENTENCES

ROYAL SENTENCE AND DECREE OF RESTORATION TO INTEGRITY

In the ordinary meeting held between the Most Eminent Cardinal Prefect and the undersigned Secretary on June 16, 1914, concerning the matter mentioned above, regarding the doubt: Whether an appeal should be admitted before this Supreme Tribunal against the royal sentence of November 22, 1913.

Furthermore, it was noted that in this case, the Commission for judging, by the grace and benevolence of the Supreme Pontiff, was granted, beyond the usual rules of law, the power to act; and therefore, the Commission was strictly to remain within its established limits. Indeed, the reason for granting this power to the Commission was that the sentence, which had already been in force for a long time and had the value of a res judicata, should be subjected to review, since it had been issued in the year 1900 by the Apostolic Delegate of Syria. And in this particular task assigned to it, the Royal Court of Tournus, after carefully examining all the reasons presented, fully fulfilled its duty, as clearly shown by the records, through the sentence issued on November 23, 1913.

Since, therefore, the mandate of the Pontifical Commission had been completely fulfilled, any further action, whether through an appeal within the same Royal Court, or through an appeal to this Supreme Tribunal of the Apostolic Signature, was excluded by itself or terminated. Therefore, the assembly considered that the appeal itself, even in connection with an appeal against the decrees of one or the other Royal Court of Rome, or even

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the preliminary question itself, should be rejected.

Therefore, the Most Eminent and Reverend Cardinal Prefect ordered that this decree be issued, by which the aforementioned appeal is rejected with all necessary and appropriate clauses, etc.

Given at Rome, in the offices of the Supreme Tribunal of the Apostolic Signature, on July 21, 1914.

Nicholas Marini, Secretary.

L. © Aloysius Scialdoni, appointed Notary.

[*Latin ed. p. 402*]

402 Acta Apostolicae Sedis - Official Commentary of the DIARY OF THE ROMAN CURIA, S. CONGREGATION. NOTICE OF COMPETITION. In the Sacred Consistorial Congregation, on the tenth day of the coming month of September, a competition will be held for a position of Official. Those who wish to participate must, within one month from the date of this notice, present their application, accompanied by the necessary qualifications for admission, to the Secretariat of said Sacred Congregation. It is required that the candidates possess a perfect knowledge of the English language and some knowledge of the German language. Rome, July 25, 1914. f. Tommaso, Archbishop of Edessa, Assessor. SECRETARY OF STATE. APPOINTMENTS. By Letters of the Secretary of State, the Holy Father has deigned to appoint: July 5, 1914. — His Eminence Cardinal Filippo Giustini, Member of the Supreme Tribunal of the Apostolic Signature, in place of His Eminence Cardinal Sebastiano Martinelli, hindered by reasons of health. — The same His Eminence Cardinal Filippo Giustini, Protector of the Institute of the Sisters of Saint Zita, in Lucca. July 7. — Monsignor Tommaso Boggiani, titular Archbishop of Edessa and Apostolic Administrator of Genoa, Assessor of the Sacred Consistorial Congregation. July 8. — His Eminence Cardinal Diomede Falconio, Protector of the Institute of the Tertiary Capuchin Sisters, of Loano. July 18. — His Eminence Cardinal Ludovico Billot, Protector of the Missionaries of the Immaculate Conception. By Apostolic Briefs, the Holy Father has deigned to appoint: Apostolic Protonotaries, as if participating: June 21, 1914. — Monsignor Raffaele D'Amico, General Vicar of the diocese of Catamarca. July 2. — Monsignor Graseppe Mord, canon of the metropolitan church of Vienna. July 7. — Monsignor Giusto Pastor Riquelme, General Vicar of the diocese of Puno (Peru).

[*Latin ed. p. 403*]

Diarium Romanae Curiae: 403 Domestic Prelates of His Holiness: June 20, 1914. — Monsignor Giovanni Hebárt, vicar general of the diocese of St. John in New Brunswick. June 22. — Monsignor Guglielmo Chapman, vicar general of the diocese of St. John in New Brunswick. June 24. — Monsignor Giorgio Repassy, canon of the diocese of Eperjes. July 1. — Mon-

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signor Francesco Kamprath, canon of the metropolitan church of Vienne. — Monsignor Francesco Fellinger, rector of the Austro-Hungarian hospice in Jerusalem. July 3. — Monsignor Filippo Béliveau, of the diocese of St. John in New Brunswick. July 10. — Monsignor Dionigi Cardon, canon provost and honorary vicar of Taggia, in the diocese of Ventimiglia. July 14. — Monsignor Severiano Sainz, vicar general of the diocese of Havana. — Monsignor Emanuele Menendez, parish priest of the church of Gesù del Monte in the same diocese.

With letters from the Secretariat of State, the Holy Father deigned to appoint:

Extraordinary Secret Chamberlains of His Holiness: July 3, 1914. — Monsignor Giovanni Antonietti, vicar general of Pergola. July 14. — Monsignor Francesco O'Hara, pro-rector of the pro-cathedral of Brooklyn. — Monsignor Giorgio Unterpranger, of the diocese of Bressanone.

Honorary Chamberlains in purple of His Holiness: June 30, 1914. — Monsignor Francesco Speranza, of the archdiocese of Santa Severina. July 12. — Monsignor Alberto Méndez, of the diocese of Havana. — Monsignor Francesco Abascal, of the same diocese. — Monsignor Gomesio Pereira da Silva, of the diocese of Goyaz. — Monsignor Gioacchino Confucio de Amorim, of the same diocese. — Monsignor Brunone Alberdi Imgadi, of the same diocese.

Honorary Chaplains beyond the city of His Holiness: July 11, 1914. — Monsignor Giuseppe Wagner, master of ceremonies in the archiepiscopal curia of Vienne.

Extraordinary Chamberlains of Sword and Cape of His Holiness: July 2, 1914. — The Right Honorable Count Giuseppe Pestalozza, of the archdiocese of Bamberga. July 9. — The Right Honorable Count Giovanni Chiassi, of Rome.

[*Latin ed. p. 404*]

404 Acta Apostolicae Sedis - Official Commentary

HONORS

With Apostolic Briefs, the Holy Father has deigned to confer the following honors:

The Order of Saint Gregory the Great, civil class:

July 1, 1914. – To Mr. Felice Dehau, mayor of Bouvines, in the diocese of Lille.

July 7. – To Mr. Francesco Frèrejean, in the diocese of Annecy.

Knighthood of the Order of Saint Gregory the Great, civil class:

June 13, 1914. – To Mr. Edoardo C. Smith, in the archdiocese of New York.

June 19. – To Mr. Arnoldo Pietro van Etten, in the diocese of Breda.

June 23. – To Mr. Eugenio Delporte, in the diocese of Lille.

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– To Mr. Vincenzo Burguet Ferrer, in the archdiocese of Valencia.

June 24. – To Mr. Manoel da Motta Ferreira Cardoso, a Portuguese citizen.

July 1. – To Mr. Pietro Scalbert-Vandame, in the diocese of Lille.

– To Mr. Giorgio Boutry, of the same diocese.

July 2. – To Mr. Federico Steffens, in the archdiocese of Colonia.

July 4. – To Mr. Alfredo Charvet, in the diocese of Lille.

July 12. – To Mr. Giorgio Cresson, in the diocese of Versailles.

Knighthood of the Order of Saint Sylvester the Pope:

July 5, 1914. – To Mr. Giuseppe Khek, chief physician of the hospital of Neuhaus, in the diocese of Budweis.

NECROLOGY

July 14, 1914. – Bishop Mattia Dvornik, formerly Archbishop of Zara.

July 29. – Bishop Pietro Pace, of Malta.

July 31. – His Eminence, Cardinal Giovanni Battista Lugari.

August 3. – Bishop Geremia Bonomelli, of Cremona.

– Bishop Giuseppe Abbet, titular Bishop of Bethlehem, Abbot of Saint Mauritius de Aganne.

[*Latin ed. p. 405*]

Year VI. - Volume VI. August 20, 1914. No. 12. *ACTA APOSTOLICAE SEDIS*, OFFICIAL COMMENTARY. MOST HOLY FATHER, POPE PIUS, PASSED AWAY on the 20th day of the month of August, in the year of our Lord 1914, at the fourth hour of the morning.

[*Latin ed. p. 406*]

Acts of the Apostolic See – Official Commentary 406

SUPREME SACRED CONGREGATION OF THE HOLY OFFICE

(SECTION ON INDULGENCES)

DECREE: An Indulgence of One Hundred Days is Granted to Those Who Recite a Certain Prayer in Honor of the Most Holy Heart of Jesus.

Our Most Holy Lord Pope Pius, of blessed memory, having imparted an audience to the Reverend Father, the Delegate of the Holy Office, on the eleventh day of July, in the year 1914, deigned benignly to grant that whoever, with at least a contrite and devout heart, shall recite the following ejaculatory prayer, "May the most sacred Heart of Jesus be praised in the most holy Sacrament," whenever they do so, may gain an Indulgence of one hundred days, applicable also to the souls of the departed. This present decree is valid forever, without any further brief. In contradiction to all that

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is contrary.

D. CARD. FERRATA, Secretary.

I, © S. f Donatus, Archbishop of Ephesus, Attestant.

APPOINTMENTS:

By Apostolic Briefs, the following were appointed:

June 10, 1904. – Apostolic Delegate to Constantinople for the Orientals, and Apostolic Vicar for the Latin Patriarchate of Constantinople, the Most Reverend D. Angelus Maria Dolci, Archbishop of Amalfi.

July 15. – Titular Bishop of Dioclensis and Apostolic Vicar of the Vicariate of Transvaal, the Reverend D. Carolus Cox, of the Order of the Oblates of the Immaculate Mary.

[*Latin ed. p. 407*]

The Holy Congregation of Propaganda Fide, '407, July 16, 1914. — The titular Bishop of Busiritis and Apostolic Vicar of the vicariate of Kottayam, Reverend Father Alexander Chulaparambil, priest. July 17. — The titular Bishop of Goty and Apostolic Vicar of the new vicariate of Tchao-tchiou in China, Reverend Father Adulphus Rayssac, priest of the Seminary of Paris for missions to foreign lands. July 20. — The titular Bishop of Gusarum and Coadjutor with right of succession to the Apostolic Vicar of Southern Manchuria, Reverend Father Vincent Francis Sage, priest of the Seminary of Paris for missions to foreign lands. — The titular Bishop of Docimium and Apostolic Vicar of the vicariate of Guam, in the Marianas Islands, Reverend Father Philippus Olaiz-Zabalza, of the Order of Friars Minor Capuchin, from Pamplona.

DOUBTS: The following doubts have been proposed to the Holy Congregation of Sacred Rites for appropriate resolution:

I. If the Feast of the Conversion of Saint Paul the Apostle coincides with or occurs during the octave of the Feast of the Nativity of the Blessed Virgin Mary, should a commemoration of the Feast be made, even though mention of the same Apostle is made in the Lord's Prayer?

II. If a votive Mass of the same Blessed Virgin Mary is to be said during the simple octave of the Nativity of the Blessed Virgin Mary, should the votive Mass of the Time be said, or the Mass as if it were the Feast of the Nativity? And, to the extent that the answer is affirmative to the second question, should the Gloria and the Creed be added?

III. Do the Offices of the Communion of many confessors, whether pontiffs or not, and of many virgins, whether or not virgins, which were approved by the Decree of the Holy Roman Church of May 12, 1914, apply only to the insertion and addition of the proper Offices duly approved; or

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also to the Roman Breviary?

[*Latin ed. p. 408*]

408- Acta Apostolicae Sedis - Official Commentary. And the Sacred Congregation of Rites, having heard the opinion of a special Commission, decided that the following answers should be given to the questions proposed: To Question I, Affirmative. To Question II, The Mass should be celebrated as on the Feast of the Nativity of the Blessed Virgin Mary, with the Gloria, but without the Creed. To Question III, Affirmative regarding the first part, according to the cited decree; negative regarding the second part; because, due to the petitions and pressing necessity of many, provision was made for a time, according to the Motu Proprio issued two years ago, and in accordance with the decree of approval of the typical edition of the Roman Breviary, on March 25, 1914. And thus it was decided and ordered to be observed. August 7, 1914. Fr. S. CARD. MARTINELLI, Prefect. Petrus La Fontaine, Bishop of Chariest, Secretary. SACRED ROMAN ROTA, PARIS. NULLITY OF MARRIAGE (CHACAL-MOULIN). During the blessed reign of Pope Pius X, in the eleventh year of his pontificate, on March 17, 1914, the Most Reverend Fathers, DD. A. Sincero, presiding, I. Mori and F. Cattani, Auditors of Tournon, in the case of the Parisian, concerning the nullity of marriage, between Bertha Chazal, represented by her legitimate procurator, Nazaren Patrizi, advocate, and Lucam Moulin, who intervened and argued in the cause as Defender of the Bond ex officio, rendered the following final judgment: Bertha Chazal, from the town of Murat, where she had her residence and domicile, was accustomed to leave each winter with her mother; but when, in the year 1902, she went to Lutetia, Paris, to spend the winter there, as was her custom, at the beginning of March she met the Lord Lucam Moulin, from whom, within the month that had not yet elapsed, she was asked to marry.

[*Latin ed. p. 409*]

The Roman Rota, in case 409, determined that the shortest possible time for entering into marriage was established, but unexpectedly, first because of questions regarding the manner of establishing the dowry, the marriage was postponed to the month of June, and then, because Bertha's brother was detained by the military for exercises, to the month of July, and finally, on July 3rd, it was celebrated in the parish of Notre-Dame de Champs. Since the marriage had an unhappy outcome, Bertha accused it of nullity, based on the grounds of clandestine marriage, before the Parisian court, which, with a judgment given on November 7, 1910, declared that there was not sufficient proof of the nullity of the marriage. The plaintiff appealed to this Holy Order, and also initiated a supplementary process, and now the case has come before Us, under the usual doubt: Whether there is proof of the nullity of the marriage in this case. The law pertaining to this matter is as

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follows: According to the decree *Tametsi* of the Council of Trent, then in force, for the validity of a marriage, it was required that the contract be made before the proper pastor of either of the spouses, that is, before the pastor to whose parish either of the spouses had their domicile or quasi-domicile, or before a priest delegated by their proper pastor or Ordinary, *S. G. Conc. in caus. Mutin.*, November 18, 1702; *Instr. Card. Rauscher §§38, 44*; *S. C. Conc. in caus. Iard.*, August 24, 1724; *decis. S. C. Conc. relatae a Benedicto XIV Inst. eccl.*, 33, n. 5, and by Fagnano, *Comment.*, in chapter 2, X, on clandestine marriages, n. 33, *S. C. S. Off.*, November 9, 1898, etc. The marriage in question, however, was celebrated in the church of the Blessed Virgin of Camps, in Lutetia, Paris, by the Reverend Mr. Le Roy, then first vicar of the church of the Blessed Virgin of Victories, who was not the pastor of either of the spouses, nor of the spouse's proper pastor, that is, the pastor of Saint Ferdinand, commonly known as des Termes, in Paris, nor of the pastor of the domicile of the bride, that is, the pastor of the place called Murat, in the diocese of Saint-Flour, nor was he delegated by either of the Ordinaries of Paris or Saint-Flour; but only by the pastor of the church of the Blessed Virgin of Camps, or by the same first vicar, who, according to Parisian custom, is appointed to handle all matrimonial affairs, and who himself assisted at marriages celebrated by another priest in the parish church. Therefore, the main question, on which the entire case hinges, is whether Bertha Chazal acquired a quasi-domicile at the time of the marriage in the parish of the Blessed Virgin of Camps. Furthermore, a quasi-domicile, in relation to marriage, is an actual residence in a certain parish with the intention of remaining there for the greater part of the year.

[*Latin ed. p. 410*]

410 Acta Apostolicae Sedis - Official Commentary. For a considerable portion of the year; for although previously there was discussion regarding the intention of remaining, whether the intention of staying for a notable period, or for six months or less, all such controversies seem to have been resolved in our time, so that it must be held that an intention of remaining for the greater part of the year is required for quasi-domicile. Instruction of the Sacred Congregation, June 7, 1867, transmitted to the bishops of England and North America, and reaffirmed in response to the requests of the Council of Mantua; Wernz, *Ius Decret.*, vol. 4, p. 259; Gasparri, *De Matr.*, 2, 1089; D'Annibale, 1-84, etc. Therefore, in order to acquire quasi-domicile in relation to marriage, two things were required according to Tridentine law: namely, actual and physical residence in the parish where the marriage was to be celebrated, and the intention of remaining there for the greater part of the year; that is, the fact or act, and the intention. Wernz, *cit.*, p. 260; D'Annibale, *ibid.* However, a diligent distinction must be made between the acquisition of quasi-domicile and its proof in the external forum. Indeed, the right in favor of marriage, arising from the

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fact of residence, induces a presumption of intention: namely, a general presumption, valid everywhere in law, arising from residence for at least one month; and a presumption of law, and indeed a particular one for certain places, arising from residence for at least one full month for the United States, and for a period of six months for the city of Paris. But if the presumption of law, which arises from a monthly residence, is contradicted by evidence, by which it is certainly and clearly established that the aforementioned intention of remaining for the greater part of the year did not exist in any way, then it is clear that a contrary judgment must be rendered, because the presumption must yield to the truth. Instruction of the Sacred Congregation, June 1867; Wernz, *cit.*, p. 261, etc. As for the fact. Indeed, it has been certainly and fully proven in the supplementary process that Bertham Chazal never intended to remain in the parish of the Blessed Virgin of Campis for the greater part of the year, both from the testimonies of witnesses and from manifest signs of which the same witnesses testified. The principal witnesses are L. Sarrazin (VIII, IX - II, III, IV, VII); E. V. de Lespinasse (V, VI, IX - V); A. Chazal (I, III, V, VI - III, IV); F. Pons (V, VIII - IV); Kieffer (V); R. Chazal (I, V); P. Achalme (I, V); M. Moisson (V, VI); A. Iouvente (I, V, VIII); B. Honnorat (I, V, VI, VIII). Nor is the censure, which the Defender of the Bond raises from Clement. 2, de test., based on any foundation, for the first process...

[*Latin ed. p. 411*]

The Roman Rota spent nearly 411 livres in this matter, solely to determine whether the delegation had indeed been obtained from the parish priest of Murat. It is also important to note that the Parisiensem court placed full faith in the veracity of the witnesses; it declared: "The witnesses in this supplementary investigation appeared to be entirely trustworthy; the court believes that 'Captain Ghazal and Doctor Achalme are very loyal men,' and added the following note to the testimony of Mrs. Honnorat: 'The witness is absolutely trustworthy.'" It is also worth noting that in December 1901, Ghazal's mother came to Lutetia, Parisiorum, specifically to find a man who would be willing to marry her daughter, Bertham, and she could not have believed or hoped that this matter would be settled in such a short time. For, let us set aside, for the moment, the intention of the mother, and consider the intention of the daughter; and it is not certain from the records whether the intention of finding a husband was the primary one, or merely a secondary consideration. In such cases, what doctors commonly teach about the intention in undertaking a matter in a particular place can be applied, namely: "If someone comes to a place 'for the purpose of carrying out a business,' and after the business has been completed... 'he leaves,' even if he happens to stay there for a year longer than expected, it is not truly the case that he has acquired a domicile there." (D'Annib., I, 84; Reiftenstuel, IV, 3, 60, 61, etc.). Indeed, these

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considerations rather suggest the opposite. There is no doubt that when Bertham arrived in Lutetia, Parisiorum, she did not intend to stay there for more than a year. Moreover, when she found a man in March, she set a very short time limit for the marriage, namely, the end of April or the beginning of May, for serious reasons, about which the witnesses Jouvente (VIII), Ghirié (VIII), P. Achalme (VI), A. Achalme (VIII), and Doctor Moulin (V) testified, especially in the first proceedings. If the marriage was postponed to June, and then to July, this must be attributed to unforeseen circumstances, namely, first, a question unexpectedly arose regarding the manner of establishing the dowry, and then, an impediment arose that detained Bertham's brother. Nor does the argument derived from the custom of renting a house without furnishings in Lutetia, Parisiorum, have any weight. The custom that is said to prevail in Lutetia, Parisiorum, is that a house rented without furnishings, is understood to be rented for at least six months; and therefore, if someone wishes to live in a house furnished with furnishings for only four or five months, they must rent it for six months; and therefore, the fact that a house was rented for six months does not necessarily prove that the renter intended to live there for the entire six-month period.

[*Latin ed. p. 412*]

412 Acta Apostolicae Sedis - Official Commentary. Indeed, the conduct of the household, and the customs prevalent in Lutetiae [Paris] among the Parisians, suggest a presumption, and not a slight one. However, this presumption is refuted by solid and certain arguments in the case, as noted above. Therefore, this also does not constitute a compelling reason, because of the decree of Benedict XIV. A few weeks ago: for it is a presumption of law only, which yields to the truth in the case. But neither can the decree of the Sacred Congregation of Inquisitors, dated November 9, 1898, be opposed, in which it is stated that, at least after six months have elapsed, the investigation into the intention is dismissed in the diocese of Paris. Wernz, cited, pages 185 and 262. Although this must be considered a presumption of law, and legally so, it cannot be applied in this case; for it is certainly known from what has been presented thus far that Bertham Chazal did not reside continuously for the full six months in the parish of B. Mariae Virg. de Campis. After carefully considering all of these matters, invoking the name of Christ, and with only God before our eyes, We, the undersigned Auditors sitting for the tribunal, concerning the proposed question, declare, pronounce, and definitively sentence: That the nullity of the marriage exists in this case, or, concerning the proposed question, We respond affirmatively. Thus We pronounce, ordering the Ordinaries of the places and the ministers of the tribunals to whom it pertains to enforce this sentence, and to proceed against those who resist, according to the norms of the sacred canons, and especially chapter 3, session XXV, of the Council of Trent, using

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the executive and coercive means that are more effective and appropriate for the circumstances. Aloisius Sincero, President. Joseph Mori. Frederick Cattani. From the Chancery, on April 24, 1914. Sac. T. Tani, Notary of the Sacred Roman Rota. Note: An appeal has been filed against this sentence. Aloisius Sincero, President.

[*Latin ed. p. 413*]

413. The Roman Rota II. Citatory Edict CONCERNING THE NULLITY OF MARRIAGE (SCHULLER - MÜLLER). Since the domicile and the actual place of residence of the Lord Joseph Müller are unknown, by the present edict, We summon him to appear in person at the seat of the Tribunal of the Holy Roman Rota on November 7, 1914, at 10 o'clock in the forenoon, that, as the defendant duly summoned, he may be heard, and We add that, if he does not appear, judgment will be concluded in his absence. — The Ordinaries of the places and all the faithful who have knowledge of the domicile or the place of residence of the aforementioned Lord Joseph Müller are to take care, if and to the extent that it is possible, to inform him of this citatory edict. Rome, August 10, 1914. Peter Rossetti, Examining Judge. John Ladelci, Notary of the Holy Roman Rota.

Translation:

TRIBUNAL OF THE HOLY ROMAN ROTA, ROME. Citatory Edict, PRAGUE - NULLITY OF MARRIAGE, SCHULLER-MÜLLER. Since the domicile and the current place of residence of Mr. Joseph Müller are unknown, by the present edict, We summon the aforementioned Mr. Joseph Müller to appear in person at the Seat of the Tribunal of the Holy Roman Rota on November 7, 1914, at 10 o'clock in the morning, to be questioned as the defendant, and We add that, if he does not appear, "the judgment will be concluded even in his absence." — The Ordinaries of the places and the faithful who have knowledge of the domicile or the current place of residence of the aforementioned defendant, Joseph Müller, must, as far as possible, inform him of this present citation. Rome, August 10, 1914. Peter Rossetti, Examining Judge. L. © S. John Ladelci, Notary of the Holy Roman Rota.

[*Latin ed. p. 414*]

414 Acta Apostolicae Sedis - Official Commentary. SUPREME SIGNATURE OF THE APOSTOLIC TRIBUNAL OF MILETUS. RESTITUTION IN INTEGRUM AND RIGHTS between the Sodality of St. Michael the Archangel in the town of Arena, represented by the legitimate procurator Vincent Sacconi, advocate, and the Sodality of the Blessed Virgin of Graces, represented by the legitimate procurator priest Nazareno Patrizi, advocate. For many years, in the town commonly called Arena, in the diocese of Mileto, in the region of Calabria, serious disputes and conflicts had arisen between the Sodality or Confraternity of St. Michael and the Most

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Holy Sacrament, and another of the Blessed Virgin of Graces, concerning controversies over reciprocal rights; and many of the officials succeeding one another in the Mileto See had made fruitless efforts to resolve these matters. Indeed, in order to restrain this dispute, which was full of hatred and annoyances, the Confraternity of St. Michael, through a petition presented to the Mileto court on November 2 of that same year, instituted a proper legal action against the Confraternity of the Blessed Virgin of Graces, in which certain rights claimed by the local parish priest, Dominic Anthony Giamba, were also challenged. The Mileto court, on July 2 of the year 1910, rendered a judgment in favor of the plaintiff, the Sodality of St. Michael; but the Confraternity of the Blessed Virgin of Graces, and the aforementioned parish priest, immediately appealed to the Sacred Roman Rota. Seven questions had been proposed to that tribunal, agreed upon by the parties. All of these were resolved in accordance with the law, through the judgment of the Turn, issued on January 25 of the year 1913. This judgment had already acquired the force of res judicata, when, before this Supreme Tribunal, in accordance with canon 37, no. 4, and canon 38 of the Proper Law, the Confraternity of St. Michael brought a recourse to obtain restitution in integrum: not concerning those matters which had been decided upon in the first, second, fourth, fifth, sixth, and seventh questions, but solely concerning the third question, which no longer concerned the parish priest, and whose resolution had been unfavorable to the Sodality of St. Michael, since it granted the Sodality of the Blessed Virgin of Graces the right to intervene, even without...

[*Latin ed. p. 415*]

By Apostolic Mandate 415, an invitation was issued for a procession on the feast of Saint Michael the Archangel, which the Brotherhood of that name customarily holds each year at its own expense. However, the Brotherhood of Saint Michael had consistently denied this right to the other Brotherhood, and continued to do so even after the favorable judgment obtained from this very court on July 2, 1910. The appealing party based its claim for full restitution on Article 9, a), of the Regulations of this Supreme Tribunal, which states that such an appeal is admissible when it can be shown that "the judgment was issued based on documents, the falsity of which... has been recognized later." Indeed, on one hand, there was the Royal Decree, attached to the judgment in question, which Bishop Philip Mincione of Mileto issued on May 24, 1853, during the Sacred Visitation, and which stated in its first point: "That both of these Brotherhoods, from this day forward, must, and are obligated to participate in all processions of the rite, namely, those of the Thursday of Corpus Christi, of Saint Mark the Evangelist, of the Rogation days in the three days preceding the Ascension, and of Saint Michael the Archangel, whose feast is celebrated on one of the Sundays of August or September of each year, venerated and recognized

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as the principal patron by the entire population of Arenese." No mention of this Decree had been made before the Brotherhood of the Blessed Virgin of Gratias, as if brought forth from oblivion, presented it before the Royal Court of Tournon, when that court was about to issue a judgment on approximately seven points. However, the Decree itself, strengthened by the testimony of its authenticity from the Episcopal Curia, could not be called into question, and therefore, the judgment of Tournon could not be other than what it truly was: the recognition, indeed, the obligation, of the Brotherhood of the Blessed Virgin of Gratias to participate in the procession on the feast of Saint Michael the Archangel. On the other hand, when the matter was already judged in this way, another declaration of the same Bishop Philip Mincione, which had also been forgotten and lay in the archives, was brought to light by the care of the Brotherhood of Saint Michael, and presented to the court, the Episcopal Curia also testifying to its authenticity, and which reads as follows: "In Mileto, September 12, 1855. Most Reverend Lord. - I declare to the respective Curates and Spiritual Fathers of these Congregations, for their information, that the Decree issued on the occasion of the Holy Visitation on May 24, 1853, remained annulled in the part concerning the holy patron, because it was not found to be sufficient and true that the Archangel Saint Michael was the patron. And since this town lacks a special patron, in accordance with the general rules, it must..."

[*Latin ed. p. 416*]

416 Acta Apostolicae Sedis - Official Commentary: "It is fitting to revere Saint Nicholas, Bishop of Myra, as the principal Patron of the entire diocese. - The Bishop of Mileto, Filippo Mincione, to the Most Reverend Lord D. Domenico Francese, External Pro-Vicar in Arena." This declaration is further confirmed by another document from the same episcopal curia, which states: "The General Vicar of the episcopal curia of Mileto certifies that Saint Nicholas of Myra is the Patron of Arena, the principal Patron of the entire diocese, and that Saint Michael the Archangel, as is clearly evident from the diocesan calendars and all the acts of the curia, has never been, and is not, the Patron of said place. - Mileto, April 1, 1918. The General Vicar, G. Mancusi."

From these two documents, it was affirmed that the Decree of May 24, 1853, in that part which concerns the disputed right, had arisen from a false premise, and therefore, with regard to that part, it lacked legal validity from its very origin, and that the author of the Decree, having detected the error without delay, amended it.

Therefore, the case was thoroughly examined in the ordinary session of the Supreme Tribunal held in the Vatican buildings on the eighteenth day of the month of July, 1914, with the Reverend Father D. Vincent Vannutelli, Prefect of the same Tribunal, as the relator. And the Reverend Fathers,

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having agreed beforehand on the doubt presented between the parties, namely: "Is there a place for restitution in integrum regarding the third part of the Royal sentence in this case?" answered: "Affirmatively."

Regarding the judicial expenses, the Supreme Tribunal decided that they should be shared between the parties.

And thus it was promulgated, pronounced, decreed, declared, and definitively judged, and it was ordered that this definitive sentence be made public and that it be enforced against all to whom it applies, not only etc., but also etc.

Given in Rome, from the offices of the Supreme Tribunal of the Apostolic Signatura, on the 28th day of the month of July, 1914.

Nicolaus Marini, Secretary.

Iosephus adv. Fornari, S. T. A.

[*Latin ed. p. 417*]

The Pontifical Commission for Biblical Matters 417. THE PONTIFICAL COMMISSION FOR BIBLICAL MATTERS: ON THE AUTHOR AND THE METHOD OF COMPOSITION OF THE LETTER TO THE HEBREWS. Having considered the following questions, the Pontifical Commission "for Biblical Matters" has decided as follows:

Question I. Whether the doubts which, in the early centuries, troubled some in the West, especially due to the abuse of heretics, concerning the divine inspiration and the Pauline origin of the Letter to the Hebrews, should be given such weight that, considering the constant and unanimous affirmation of the Eastern Fathers, to which the entire Western Church has fully adhered since the fourth century; having also considered the acts of the Supreme Pontiffs and of the sacred Councils, especially the Council of Trent, and the constant usage of the universal Church, one may hesitate to classify it not only among the canonical Scriptures – which is a matter of faith – but also among the genuine epistles of the Apostle Paul.

Answer: Negatively.

Question II. Whether the arguments which are often drawn either from the unusual absence of the name Paul and the customary omission of the introduction and salutation in the Letter to the Hebrews, or from the purity of its Greek language, the elegance and perfection of its diction and style, or from the manner in which the Old Testament is cited and argued in it, or from certain differences which are alleged to exist between its doctrine and that of the other epistles of Paul, can in any way weaken its Pauline origin; or rather, whether the perfect agreement of doctrine and sentiments, the similarity of admonitions and exhortations, and the concord of expressions and even of words, which are observed between it and the other writings of the Apostle of the Gentiles, and which are even praised by some non-Catholics, do not demonstrate and confirm its Pauline origin.

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Answer: Negatively to the first part; affirmatively to the second.

Question III. Whether the Apostle Paul should be considered the author of this letter, so that it must necessarily be affirmed that he conceived and expressed the entire letter, not only under the inspiration of the Holy Spirit, but also that he gave it in that very form in which it is now found.

Answer: Negatively, subject to further judgment by the Church.

[*Latin ed. p. 418*]

Acts of the Apostolic See - Official Commentary 418. On the 24th day of June, in the year 1914, in an audience graciously granted by Our Most Holy Father Pope Pius X to the undersigned Reverend Consultors from the Acts, the aforementioned responses were approved and it was commanded that they be made of public law. Rome, on the 24th day of June, 1914. LAURENTIUS JANSSENS, O. S. B. Consultor from the Acts. L.

© DIARY OF THE ROMAN CURIA

SECRETARY OF STATE

In the name of the Holy Father, the following were appointed:

August 5, 1914. — The Reverend Father Luca of Padua, of the Order of Friars Minor Capuchins, Apostolic Preacher.

August 6. — The Reverend Canon Angelo Sinibaldi, Auditor for judicial affairs of the Vicariate of Rome.

August 10. — The Most Reverend Cardinal Anthony Vico, Protector of the "Congregation of Mothers of the Abandoned," of Valencia.

August 11. — The Most Reverend Cardinal Guglielmo van Rossum, Protector of the Congregation "de la Retraite du Sacré-Cœur, Société de Marie," of Anger.

August 12. — The Most Reverend Cardinal Domenico Ferrata, Protector of the Congregation "du Sauveur et de la Sainte Vierge," of Souterraine, in the diocese of Limoges, nella.

August 14. — The Most Reverend Cardinal Gaetano Bisleti, Protector of the Institute of the Ursuline Sisters of Jesus, of Chavagnes en Paillers, in the diocese of Luçon.

By Apostolic Briefs, the Holy Father deigned to appoint:

As Assistant to the Papal Throne:

July 15, 1914. — Monsignor Leone Hard, titular Bishop of Messene and first Apostolic Vicar of North Carolina.

[*Latin ed. p. 419*]

From the Roman Curial Diary:

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July 17, 1914. — Monsignor Felice Eugenio Augusto Burlet, first general vicar of the archdiocese of Besançon.

July 18. — Monsignor Giuseppe Ludgero Guertin, general vicar of the diocese of Saint-Jacinthe.

Domestic Prelates of His Holiness:

July 17, 1914. — Monsignor Pietro Zeffirino Decelles, canon of the cathedral of the diocese of Saint-Jacinthe.

July 19. — Monsignor Carlo Underwood, parish priest in Dartmouth, of the diocese of Halifax.

— Monsignor Alfonso Benedetto Coté, parish priest in Meteghan, of the same diocese.

— Monsignor Edoardo Kennedy, parish priest in Truro, of the same diocese.

— Monsignor Enrico Bonincontro, of the diocese of Atri.

— Monsignor Giovanni T. Woods, parish priest of the diocese of Brooklyn.

July 21. — Monsignor Antonio Frassineti, general vicar of the diocese of Modigliana.

July 23. — Monsignor Paolo Peller, canon of the cathedral of the diocese of Veszprém.

July 24. — Monsignor Desiderio Káuzli, canon of the same cathedral.

July 29. — Monsignor Michele O'Neill, parish priest and canon in the archdiocese of Cashel.

August 1. — Monsignor Michele Eller, canon of the cathedral of the diocese of Brixen.

August 2. — Monsignor Giuseppe Ippolito Convert, curate of Ars, in the diocese of Belley.

August 7. — Monsignor Pietro De Romanis, archivist of the Apostolic Breviaries.

HONORS:

By Apostolic Briefs, the Holy Father deigned to bestow the following honors:

The Insignia of the Order of Saint Pius:

July 1, 1914. — To the Most Noble Count Giuseppe d'Arco-Zinneberg, counselor of state of the Kingdom of Bavaria.

The Commander's Cross of the Order of Saint Pius:

August 6, 1914. — To the Most Noble Count Salvatore Salimei, member of the Noble Pontifical Guard.

[*Latin ed. p. 420*]

420 Acta Apostolicae Sedis - Official Commentary

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The Knighthood of the Order of Saint Gregory: July 16, 1914. — To Mr. Zotico-Tommaso Marchesseault, of the diocese of Saint Jacinthe. — To Mr. Augusto Séguin, of the same diocese.

The Cross of the Order of Saint Gregory the Great, military class: July 16, 1914. — To Mr. Count Eriberto von Spee, lieutenant colonel, aide-de-camp to His Imperial Majesty William II, Emperor of Germany.

The Cross of the Order of Saint Gregory the Great, civil class: July 1, 1914. — To Mr. Enrico Wattinne, of the diocese of Lille.

July 21. — To Mr. Knight Giuseppe Bussières, of the archdiocese of Montreal.

The Knighthood of the Order of Saint Gregory the Great, civil class: July 19, 1914. — To Mr. Luigi Panzer, municipal councilor of Munich of Bavaria.

July 28. — To Mr. Camillo Jordan, of the archdiocese of Lyons.

July 29. — To Mr. Massimiliano Siegert, of the archdiocese of Munich of Bavaria.

The Cross of the Order of Saint Sylvester the Pope: July 5, 1914. — To Mr. Otto P. Hoefeld, of the archdiocese of Sarajevo.

August 2. — To Mr. Professor Filippo Ermini, of Rome.

The Knighthood of the Order of Saint Sylvester the Pope: July 16, 1914. — To Mr. Ignazio de Gregori, of Rome, dean of the college of the Pontifical Bussolanti.

July 23. — To Mr. Giovanni Audino, of the diocese of Caltanissetta.

NECROLOGY

July 26, 1914. — Monsignor Francesco Saverio Corbet, titular bishop of Obba and apostolic vicar of Diego Suarez.

[*Latin ed. p. 421*]

Year VI. - Vol. VI. August 31, 1914. No. 13. OFFICIAL COMMENTARY OF OUR MOST HOLY POPE PIUS X: HIS EXTREME ILLNESS, DEATH, AND FUNERAL. Our Most Holy Pope Pius X began to suffer from a disease of the chest on the 15th of August; however, from the beginning, it did not give cause for any great alarm. But on the 19th, the illness unexpectedly worsened, and the doctors announced the following: "On August 19th, at 8 o'clock in the morning, His Holiness, who for four days had been suffering from a catarrh of the trachea and the large bronchi, this morning worsened due to the spread of the bronchitis, with an increase in fever. Easy expectoration, normal diuresis. Signed: Andrea Amici - Ettore Marchiafava."

However, when at the eleventh hour the Most Holy Father suddenly lost his strength, those present were struck with fear, and immediately, with

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the assistance of the Most Reverend Cardinal Secretary of State,

[*Latin ed. p. 422*]

Acts of the Apostolic See – Official Commentary on the State, the Reverend Father Augustine Zampini, Prefect of the Apostolic Sacristy, administered the Holy Eucharist to the Pope and administered to Him the Sacrament of Extreme Unction. At 4:30 PM, a second announcement was issued by the physicians: August 19th, at 4:30 PM. The worsening that occurred during the night, due to the spread of bronchitis in the lower lobe of the left lung, progressed rapidly. At 10:30 AM, symptoms of cardiac weakness arose, so threatening that it was believed that the life of His Holiness was in imminent danger. At 1:30 PM, His Holiness showed a slight improvement, although the conditions remained extremely serious. Now (4:30 PM), Temperature 39.5. Pulse 130, irregular. Respiration 50. Difficult expectoration. Signed: Andrea Amici – Ettore Marchiafava. The Emissary in the City immediately informed the faithful of the very grave condition of the Pope, issuing this specific order: To the Reverend Basilio, of the Titulus of Saint Mary in Aracoeli, of the Holy Roman Church, to the Reverend Cardinal Pompilj, of the Holy Office, General Vicar of the Roman Curia and his District, Ordinary Judge. Deeply saddened, we receive the news that the health of the Holy Father has suddenly worsened, and therefore we order all priests, both secular and regular, of this beloved city, that in the collection for the Pope, they substitute the usual collection for the infirm Pontiff, while we recommend to all the faithful to offer fervent prayers to Divine Goodness for the August Pope. Given from our residence this day, August 19, 1914. BASILIO CARDINAL, VICAR. Giuseppe Ceppetelli, Vicegerent, Commissioner of the Vicariate. Interim. The Most Reverend Cardinals residing outside the city were duly notified; those who were in Rome immediately went to visit the infirm Pope.

[*Latin ed. p. 423*]

Most Holy Fathers, upon the death of our Holy Father Pius X:

DECEASED: MOST HOLY FATHER, OUR PIUS X, PASSED AWAY IN PEACE WITH CHRIST ON THE 20TH OF AUGUST, AT 1:15 A.M. The lifeless body of the Pontiff, with a serene and peaceful countenance, rested in the very chamber in which He had breathed His last. There, the Holy Sacrifice was offered for His soul by the Most Reverend Monsignor Nazzareno Marzolini, Apostolic Protonotary, Alphonse Carinci and Charles Respighi, Masters of the Apostolic Ceremonies, Joseph Pescini, Secret Chaplain, and Attilius Bianchi, Cleric Secret; while in the private oratory of the deceased Pontiff, the Holy Sacrifice was offered first by the Most Reverend Monsignor Arborius Mella di Sant'Elia, his closest chamberlain, then by His Eminence Cardinal Caietan Bisleti, who had also been present at the Pontiff's death; and finally by the Most Reverend Monsignor John Bressan, Secret

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Chaplain. Upon being informed of the Pontiff's death, His Eminence Cardinal Francis Salesius Delia Volpe, Chamberlain of the Most Holy Roman Church, immediately notified the Reverend Cardinal in the City, who in turn issued the following notice:

NOTICE TO THE CLERGY AND THE PEOPLE OF ROME

From the Basilica of the Title of Saint Mary in Aracoeli of the Most Holy Roman Church,

His Eminence Reverend Cardinal Pompilj, General Vicar and Ordinary Judge of Rome and its District.

With a heart deeply moved, we address you today, O beloved Catholics of Rome. His Eminence, the Reverend Cardinal Chamberlain of the Most Holy Roman Church, to whom it belongs to give public testimony of the death of the Roman Pontiffs, has just now conveyed to us the sad official announcement of the death of the Holy Father Pius X, which occurred this night at 1:15 A.M. The name of this Holy Pontiff will forever remain in history as that of one who, with an incomparable zeal, wisdom, and fortitude, devoted His glorious pontificate to the defense of the faith and to promoting in every way the supreme interests of the Church. Rome, in particular, owes eternal gratitude to Him for the countless benefits He bestowed. The times of grace, the institutions founded for the education and instruction of the clergy and the people, and all...

[*Latin ed. p. 424*]

m. Acta Apostolicae Sedis - Commentary. Other marvelous works of spiritual and material charity have sprung forth from His great paternal heart. Therefore, we do not doubt that you, O Romans, who yesterday already hastened with such zeal of filial piety to the public churches to pray for the common Father who was dying, will multiply your prayers for the great soul of the deceased Pontiff during this hour of such sorrow. We therefore urge you to participate numerously in the public and solemn funeral rites which, according to custom, will be celebrated in the patriarchal Basilica Vaticana. We also order that in all the churches of this beloved City, both of the secular clergy and of the regulars, or in any manner privileged, all the bells be rung in a mournful manner from the "Ave Maria" to one hour after nightfall, both today and tomorrow. As soon as the precious mortal remains of the Supreme Pontiff are transported to the Basilica Vaticana, solemn funeral rites will be celebrated in all the aforementioned churches. The priests, both secular and regular, are urged to offer the Holy Sacrifice in suffrage for the deceased Supreme Pontiff, and the communities of both sexes, as well as all the faithful, are invited to commend the blessed soul of Him to God. Finally, we prescribe that in all Masses and in the sacred functions, the collect "Pro Pontifice eligendo" be added, as long as the

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Apostolic See remains vacant. Given from our residence on August 20, 1914. BASILIO CARD. VICARIO f Giuseppe Ceppetelli, Vicegerent, Commissary of the Vicariate. In the meantime, the Pontifical Master of Ceremonies gave notice to the most holy Lateran Archbasilica, of the City and of the World, that it was the Cathedral. Immediately, with the mournful sound of the bells of that very Archbasilica first, and then continuously from all the churches, the people, who had anxiously feared, learned [of the news]. RECOGNITION AND EXPOSITION OF THE BODY. At the twelfth hour of the same day, August 20. The Most Eminent Cardinal of the Holy Roman Church, Chamberlain, received the testimony of sorrow and devotion from the leaders of each order of knights, and the chamber where the deceased Pontiff lay was...

[*Latin ed. p. 425*]

The recognition and exposition of the body of Our Most Holy Father Pope Pius X added 425 more [recitations of] prayers, and the body was duly recognized. The act of this recognition, which was read kneeling by one of the Apostolic Protonotaries, is as follows: ACT OF RECOGNITION OF THE BODY. On the 12th day of August, in the year 1914, His Eminence, the Cardinal Chamberlain of the Holy Roman Church, accompanied by the College of Clerks of the Chamber, by Monsignor, Auditor of the Royal Apostolic Chamber, by the General Procurator, and by the two Secretaries and Cancellaries of the aforementioned Chamber, went to the private apartments of His Holiness, and in one of these apartments, he found on the deathbed the body of the same His Holiness. After the death of the Holy Father was ascertained, and the appropriate prayers were recited for the blessed soul, the aforementioned Eminence requested from Monsignor, Master of the Chamber of His Holiness, the Fisherman's Ring, which was immediately delivered to the Cardinal Chamberlain by the aforementioned Monsignor, who received it in order to present it at the first Cardinal Consistory; and His Eminence gave a receipt to the aforementioned Monsignor, Master of the Chamber. Furthermore, at the request of the Eminent Chamberlain, a solemn act was drawn up by Monsignor, Apostolic Protonotary, and was signed by the Cardinal Chamberlain and by Monsignors Caccia-Dominioni and Arborio Mella di S. Elia, Secret Chamberlains of the same His Holiness, in their quality as witnesses. Afterwards, the body of the Blessed Father, clothed in pontifical vestments, was carried from the chamber to the Throne Room, where the faithful of Rome, from the afternoon until the eighth hour of the following day, in groups, poured forth most fervent prayers, venerating it. THE TRANSFER OF THE BODY TO THE SACRED VATICAN BASILICA. On the 22nd of August, at the ninth hour, the body of the Pontiff was reverently carried in procession to the Basilica of Saint Peter. First, twelve Sediarii, clothed in red garments with a black cape, walked; then twelve Penitentiaries, carrying torches, of whom the

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Rector, wearing a black stole, served as the substitute for the parish priest; afterwards, the litter, which was carried by the Sediarii, with Protectors.

[*Latin ed. p. 426*]

The Acts of the Apostolic See – accompanied by the official retinue of Dominici, the Swiss Guard, and other attendants – surrounded the Papal Chair. Following were the Most Reverend and Venerable Lords: Victor Amedeus Ranuzzi de' Bianchi, Prefect of the Secret Office; Augustus Silj, Secret Almoner; Aurelius Galli, in brief audience, Secretary to the Princes; Camillus Caccia-Dominioni, Groomsman; Augustinus Zampini, Prefect of the Apostolic Sacristy; Alexander Ruspoli, Prince, Master of the Holy Hospital; Franciscus Serlupi-Crescenzi, Marquis, Prefect of the Stables; Stanislaus Muccioli, Count, Tribune of the Guards of Dominici; and Julius Repond, Duke of the Swiss Guard; followed by the Eminent Cardinals present in the Court, namely the Eminent Vincentius Vannutelli, Caietanus De Lai, Hieronymus Maria Gotti, Dominicus Ferrata, Raphael Merry del Val, Aristides Rinaldini, Basilius Pompilj, Petrus Gasparri, Diomedes Falconio, Antonius Vico, Ianuarius Granito Pignatelli di Belmonte, Dominicus Serafini, Franciscus Salesius Delia Volpe, Secretary of State of His Holiness and first Deacon, Octavius Cagiano de Azevedo, Caietanus Bisleti, Ludovicus Billot, Gulielmus van Rossura, Scipio Tecchi, Philippus Giustini, and Michael Lega. Following them were Legates from foreign nations, Archbishops, Bishops, officials of the Secret Office and of honor, superiors of each College of the Roman Prefecture, Roman Patricians and Nobles. From the hall of the Throne to the entrance of the Basilica of Saint Peter, psalms and devout prayers were recited. At the pronaos of the Church, the singers of the Chapel of Julius sang the antiphon "Subvenite," and upon its completion, the Reverend Lord Joseph De Bisogno, Dean of the Canons, imparted the first absolution. The second absolution was given by the Most Reverend and Venerable Lord Joseph Ceppetelli, Patriarch of Constantinople, Vicar of the City, and a member of the Vatican Chapter, after the singing of the antiphon "Libera me, Domine," at the Confession of Saint Peter. Then, accompanied by a large crowd of people, the body of the Pope, with the Chapter preceding him, was carried in the midst of resounding psalms to the chapel of the Most Holy Sacrament, where the same Patriarch of Constantinople imparted the third absolution. The body was placed within the enclosure of the chapel so that the faithful could easily see and venerate it. Throughout the entire day of August 23rd, a large gathering of the faithful assembled, who devoutly prayed before the remains of the Pope; this frequent pilgrimage demonstrated the deep piety of the Romans towards their most beloved

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Father.

[*Latin ed. p. 427*]

The funeral rites for the repose of the soul of Our Holy Father, as is customary, began this very day in the Basilica of the Vatican, with a solemn Pontifical Mass celebrated by the Most Reverend and Right Reverend Monsignor Joseph Ceppetelli, in the presence of the Reverend Chapter, the clergy, and a large multitude of people.

THE INTERMENT AND DEPOSITION IN THE CRYPT OF THE SACRED PATRIARCHAL BASILICA OF THE VATICAN. At six o'clock in the afternoon of the same day, August 23rd, the interment of the body of the Pope took place in the Crypt of the Basilica of the Vatican, according to the express will of the Pontiff, who had chosen that place for his final burial.

The body of the Pope was transferred from the chapel of the Most Holy Sacrament to the chapel of the Choir, preceded by the Vatican Chapter. The bier, carried by chair-bearers and surrounded by the guards of Monsignor Dominic, was followed by the Most Reverend and Right Reverend Patriarch of Constantinople, dressed in black and wearing a white mitre, who intoned the antiphon "Exsultabunt Domino," which was immediately followed by the singing of the psalm "Miserere."

Following him were the Most Reverend Cardinal Raphael Merry del Val, Archpriest of the Basilica, the Prefect of the Secretariate, the Masters of Ceremony, the Secret Almoner, the Prefect of the Apostolic Chamber, the Participants in the Secretariate, the Master of the Holy Hospital, the Major Domo, the Prefect of the Stables, the Prefect of the Public Courses, the Commander of the Swiss Guard, and finally, numerous Prelates and honorary chamberlains, wearing their cloaks and sashes.

Meanwhile, in the choir, the seats of the Canons were occupied by the Most Reverend Cardinals: Vincent Vannutelli, Franciscus a Paula Cassetta, Caietanus De Lai, Diomedes Falconio, Hieronymus Maria Gotti, Dominic Ferrata, Aristides Rinaldini, Peter Gasparri, Anthony Vico, Januarius Granito Pignatelli di Belmonte, Basil Pompilj, Dominic Serafini, Francis Salesius Della Volpe, Octavius Cagiano de Azevedo, Caietanus Bisleti, Louis Billot, William van Rossum, Philip Giustini, and Michael Lega.

Knights of the Order of the Holy Sepulchre were present, including Count di Brazzà and Pius Franchi de' Cavalieri.

Seated at the Epistle side were the representatives of the civil governments at the Holy See, namely: John Schönburg-Hartenstein, Prince, Extraordinary Envoy with full powers from the Austro-Hungarian Empire; Count /

[*Latin ed. p. 428*]

428 From the Apostolic See – Official Account: The Envoy Extraordinary with full powers from the Kingdom of Hispania; Baron d'Erp, En-

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voy Extraordinary and Minister with full powers from the Kingdom of Belgici; Baron Otto de Ritter of Gruenstein, Envoy Extraordinary and Minister with full powers from the Kingdom of Bavaria; Gaston da Cunha, Envoy Extraordinary and Minister with full powers from the Republic of Brasiliana; Raphael Errázuriz Urmeneta, Envoy Extraordinary and Minister with full powers from the Republic of Cilena; Doctor Carmelus Arango, Envoy Extraordinary and Minister with full powers from the Republic of Columbiana; Doctor Otto von Muehlberg, Envoy Extraordinary and Minister with full powers from the Kingdom of Borussici; D. Nelidow, Envoy Extraordinary and Minister with full powers from the Russian Empire; Doctor Raymundus Parra vicini, Acting Minister for the affairs of the Republic of Argentinae; De Rada et Gamio, Prefect of the affairs of the Republic of Peruana. Also present were officials of the Secretariat of State: Reverend Monsignor Eugenius Pacelli, Secretary for Extraordinary Ecclesiastical Affairs; Fridericus Tedescumi, Chancellor of Briefs; Xantes Tampieri, Under-Secretary of the Congregation for Extraordinary Ecclesiastical Affairs; and others. Many Archbishops and Bishops occupied places of honor. The College of Prelates of the Clergy from the Apostolic Camera and the Parishes of the City were also present; and countless Priests, Religious, and also most distinguished and noble men, whose description would be too lengthy. The temple was filled with the people. Upon entering the chapel with funeral solemnity, His Eminence the Archpriest from the Side of the Gospel stood, and beside him was His Eminence, Cardinal S. R. E. Camerarias. Above the altar steps, a cross was carried; after it came the Singers, and before them, the Prelates of the Pontifical House. As the body of the Pope was reverently lowered into the coffin, the choir sang the antiphon "Sicut cervus." Afterwards, Reverend Joseph Cascioli, Chancellor and Custodian of the Tables of the Chapter of the Vaticani, began to read the prayer for the burial. PRAYER In the name of the Lord. Amen. The Supreme Pontiff Pius X, formerly Joseph Melchior Sarto, who throughout his pontificate had presented outstanding documents for the defense of the Catholica in the most difficult times of the Church, was, on the twentieth of August, on Thursday, in the year of Our Lord 1914, at the first hour, seized by a brief illness.

[*Latin ed. p. 429*]

Our Most Holy Lord Pope Pius X, after seventy-nine years, two months, and twenty-eight days, peacefully fell asleep in the Lord in the buildings of the Vatican, having been born in the town of Riese, in the diocese of Treviso, on the first of June, in the year 1835. He was initiated into the priesthood in the year 1858, and subsequently, in the year 1884, he resigned from the episcopate of Mantua, and finally, on the twelfth of June, in the year 1893, by Pope Leo XIII, of blessed memory, he was created Cardinal Priest of the title of Saint Bernard at the Baths of Diocletian, and at the

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same time, in the Consistory, he was proclaimed Patriarch of Venice. When Pope Leo XIII passed away, after elections were held, he was, with the unanimous consent of the Fathers Cardinals, elected to the supreme Chair of Saint Peter on the fourth of August, in the year 1903, and on the ninth of the same month, he was crowned in the Basilica of the Princes of the Apostles, amidst the great applause of all. Following His death, the body was exposed on the same day, the twentieth of August, in the Throne Room of the Vatican buildings, but not before being embalmed and prepared with aromatic substances, as was expressed in His last will, where many, especially from the Palace and the Curia, came to venerate the deceased Pontiff. On the following day, Saturday, the body, having been clothed in sacred garments according to custom and adorned with the pontifical pallium, and placed upon the bier, was carried from the Vatican buildings by the chair-bearers of the Holy See, shortly after nine o'clock, and brought into the Basilica of the Princes of the Apostles. Attending were the Cardinals of the Holy Roman Church, the Prelates of the Pontifical Household, the Chamberlains, and others from the Curia, as well as the Papal Guards and the Swiss Guard. In the portico of the Basilica, the venerable body was received with great reverence by the Reverend Chapter of the Vatican, with lit candles, where the Most Reverend and Reverend Joseph De Bisogno, Dean of the same Chapter, sprinkled it with holy water and recited prayers according to custom. Afterwards, the body itself, having been placed in the center of the Vatican temple, before the Confession, the Most Reverend and Reverend Joseph Ceppetelli, Patriarch of Constantinople and Canon of the same Basilica, imparted absolution according to the rite, and then it was exposed in the chapel of the Most Holy Sacrament, with torches lit here and there, and guarded by the Papal Guards, but with the doors closed. At half-past ten, with the doors of the temple opened, a vast multitude of people immediately entered, who, until the vespers of this day and the following day, flowed like a wave, venerating the lifeless body of the best of Popes. On the twenty-first day, which was Saturday, the funeral services were held in the chapel of the Choir, with the sacred rites performed by the aforementioned Most Reverend and Reverend Joseph Ceppetelli, Patriarch of Constantinople, before a large crowd of people who had gathered from all over the city.

[*Latin ed. p. 430*]

430 Acta Apostolicae Sedis - Commentarium Officiale. At the sixth hour after midday on that same day, the burial of the Body was completed within the very choir, which, as has been said, with musical performances, and by the singers of the Julian Chapel chanting the antiphon "In paradisum deducant te Angeli," was again sprinkled with blessed water by the aforementioned Patriarch, who then recited the prayer "Deus qui fundasti." Present were Cardinals of the Holy Roman Church, Bishops,

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and many from the Curia, the Roman Chapter, the Vatican, as well as Legates of Nations with children under their care at the Holy See, Roman nobles, and other most distinguished men. In the meantime, the bearers of the pontifical throne brought the sacred body to its place and placed it in a cypress box, prepared there according to custom. Then, Aloysius Misciattelli, the Most Reverend and Illustrious Sub-Prefect of the Sacred Apostolic Palace, approached and spread a white silk veil over the face of the deceased Pontiff; and at the same time, Amedeus Ranuzzi de Bianchi, the Most Reverend and Illustrious Master of the Pontifical House, placed a crimson mantle at the feet of the body, in which he declared were contained coins of gold, silver, and bronze, from the time of the pontificate of Pius X. Within the box was also placed a parchment scroll enclosed in a cylindrical container of gilded metal, containing the eulogy of the same venerable Pontiff, which was composed and recited by Aurelius Galli, the Most Reverend and Illustrious Canon of the Vatican, and by the Secretaries of Latin letters to the Princes; the tenor of which is as follows: "PIUS X, POPE. Born on the 4th of June in the year 1900, in the town of Tarvisiae, in the diocese of Treviso, to parents of modest fortune but of ancient virtue, Giovanni Battista Sarto and Margaret Sansón, and to him were given the names Joseph and Melchior. As a young man, with keen intelligence and the best character, and properly educated, he readily accepted the office of priest, and for a long time he administered the office of curate with laudable diligence. In the year 1884, he became Bishop of Mantua, and nine years later, Cardinal and Patriarch of Venice. On the eve of August, in the year 1903, he was appointed head of the entire Church, receiving the name Pius X, and he brought to the Chair of the Blessed Peter shrewd pastoral care, with a knowledge of affairs cultivated in every way. He concerned himself with the clergy above all else, he properly ordered the seminaries of Italy according to the times, he greatly promoted the discipline of Thomas Aquinas, he established an Athenaeum in the City to promote the study of Holy Scripture, he prescribed the correct manner of preaching about divine matters, and he diligently urged the Catholic clergy to diligently observe the duties of their order. Always concerned for the eternal salvation of the people, he devoted himself to Christian doctrine..."

[*Latin ed. p. 431*]

His Most Holy Lord Pope Pius X commanded that the burial and deposition of his remains be carried out with due solemnity; he fostered the veneration and frequent use of the most holy Eucharist, and provided generously for the needs of the young. He loved the beauty of the House of God, and ordered that sacred art and music be suitably suited to the majesty of the divine services. He, a defender of the Catholic faith, diligently detected and condemned recent errors which either undermined obedience to the

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Church or sought to fundamentally alter the Church itself. He rejected laws concerning the separation of states from the Church. His foresight is also illustrated by the sacred councils and offices of the Roman Curia, which he reorganized; by the more equitable distribution and increase of the parishes of the city; by the decree concerning the revision of the vernacular version of the Scriptures; and also by the compilation of the laws of the Church into a single code. Finally, he never ceased from the purpose which he had undertaken at the beginning of his highest pontificate, namely, to restore all things in Christ.

The life of this Pope was entirely in harmony with the sanctity of the apostolic office; and among his other virtues, modesty, which inspired admiration, and charity, which captivated the hearts of all, were particularly outstanding. He peacefully passed away on September 13th, in the year 1914, to the grief and sorrow of the Catholic world. He lived 79 years, 2 months, and 18 days. Farewell, most holy Father, and live eternally in [heaven].

When the cypress box, closed with its lid, was surrounded with violet silk ribbons, two seals were affixed to it upon melted Spanish wax. These bore the impressions of the arms of Francis Salesius Delia Volpe, Cardinal Chamberlain, and also the impressions of the arms of Raphael Merry del Val, Archpriest of the aforementioned Vatican Basilica, who had been Secretary of State for the same Most Holy Pope; another bore the arms of Amedeus Ranuzzi de Bianchi, Master of the Pontifical House, and finally, the arms of Joseph De Bisogno, Dean of the Royal Vatican Chapter. After these things were completed, the cypress box itself was placed within another leaden box, the lid of which was secured with eleven iron bars and also sealed by the same hands that had affixed the seals to the cypress box. The leaden lid displays the following inscription, along with the coat of arms of the aforementioned Pope:

PIUS X. POPE. LIVED 79 YEARS, 2 MONTHS, 18 DAYS. PREVAILING OVER THE UNIVERSAL CHURCH FOR 11 YEARS, 16 DAYS. DIED ON AUGUST 20, 1914.

[*Latin ed. p. 432*]

Acts of the Apostolic See - Official Commentary. Finally, a leaden box was placed within another box made of chestnut wood, and it was firmly closed. Above the roof of this chestnut box, the same inscription with the coat of arms was engraved. Afterwards, the remains of the venerable and blessed Pope Pius X, carried in procession, were taken from the chapel of the Choir to the Confession of St. Peter, with the customary ceremonies performed for the purpose of burial and deposition, and, through the stairs of the Confession itself, by the diligent work of the workers of the Basilica (commonly known as Sampietrini), were brought into the Old Crypts of the Vatican, and there, according to the will of the same Pontiff, expressed

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in his testament, they were laid to rest near the tombs of the royal family of the House of Stuart and Queen Charlotte of Cyprus, to the right of those entering the Crypts, near the statue of the Apostle St. Andrew. I have seen all of this, I have written it down, and I have made it public, in the presence of the Most Reverend and Reverend Fathers Joseph De Bisogno, Dean of the Vatican Chapter, Salvatore Talamo, Chamberlain, Ascenso Dandini, Canon of the same Vatican Basilica, who were questioned as witnesses to these matters. Thus it is. In Rome, on the twenty-first day of August, in the year of Our Lord 1914, with the Apostolic See vacant. Joseph Cascioli, Chancellor and Custodian of the Vatican Chapter Archive. Moreover, many faithful, clergy, religious, and lay people stood there, deeply saddened, all performing the last offices of piety for the Supreme Pontiff, Father, and Master, whom the Church of Christ justly mourns throughout the world.

FUNERAL CEREMONY IN THE SISTINE CHAPEL. For the last three days of the funeral, this notice was issued by the Prefect of Ceremonies, TO BE READ BY MESSENGERS, A COPY TO BE LEFT AT HOME, on Saturday, August 28, 1914, at half-past nine o'clock, in the Sistine Chapel of the Vatican Palace, for the funeral Mass for the soul of the Most Blessed Pope Pius X, the Most Reverend and Reverend Cardinal Vincent Vannutelli will celebrate Mass. After Mass, a solemn Absolution will be performed around the bier, with the assistance of the Most Reverend and Reverend Cardinals: Anthony Agliardi, Francis of Paula Cassetta, Caietan De Lai, Diomedes Falconio.

[*Latin ed. p. 433*]

The Solemn Funeral Rites of Our Most Holy Father Pope Pius X will be celebrated in the Sistine Chapel on the 433rd day, August 29th, at the same hour, and in the same Chapel. The Mass will be sung by His Eminence and Reverend Lord Cardinal Caietan De Lai, and in the solemn Absolution, the following Eminences and Reverend Lords Cardinals will be present: Jerome Gotti, Dominic Ferrata, Raphael Merry del Val, and Anthony Vico. On Sunday, August 30th, at the aforementioned place and hour, the Mass will be celebrated by His Eminence and Reverend Lord Cardinal Diomede Falconio. After the Mass, a prayer will be recited in praise of the deceased Supreme Pontiff, and afterwards, the solemn Absolution will take place with the presence of the Eminences and Reverend Lords Cardinals: Januarius Granito Pignatelli di Belmonte, Basil Pompilj, Dominic Serafini, and James Delia Chiesa. Those Eminences and Reverend Lords who are required to wear the *pluvialis* with the *stola* during the Absolution, if they are of the Order of Bishops, will also carry the *superpellicium*, *amictus*, a simple *mitra* made of damask silk, and the *formale*. Those who are of the Order of Priests will wear only the *amictus* and the damask *mitra*. For the *caudatarii*, the *superpellicium* and the *velum* will be worn to support the *mitra*. All and each Eminences and Reverend Lords Car-

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dinals are hereby notified that they are to attend, wearing their *rocheto*, woolen garments, and violet silk *cappe*. The *cappe* will be donned in the Hall of Vestments. The *caudatarii* chaplains will wear yellow over their customary silk garments. Also notified are the Vice-Chamberlain, the Auditor of the Sacred Congregation, the Archbishops, Bishops, Protonotaries, Abbots and Generals of Orders, Auditors of the Rota, Clerks of the Apostolic Chamber, Assessors of the Signature (who will not wear the *cappe*, but will wear a *mantelletum* and a black garment with a simple *rocheto*), Consistorial Advocates, and Procurators of Regular Orders. By order of His Eminence and Reverend Lord Cardinal Dean, Francis Riggi, Apostolic Protonotary, Ceremonial Prefect... All of these matters will be strictly observed on the designated days and hours; upon completion, the Reverend Master Lawrence Perosi will lead the choir.

[*Latin ed. p. 434*]

434 Acta Apostolicae Sedis - Commentarium Officiale

Then, the eulogies of the four deceased were read aloud, which the Reverend Father Aurelius Galli had written:

I. SANCTITY'S ADVOCATE,

II. HEAVENLY GRACE'S FOSTERER,

III. HE FREQUENTLY BESTOWED GRACES UPON HIS CHILDREN,

IV. A RESTORER OF MATURE VIRTUE,

V. HE ESTABLISHED STATUTES OF DISCIPLINE,

VI. ALL LAWS WHICHEVER ARE IN FORCE WITHIN THE CHURCH,

VII. HE REDUCED THEM TO ONE BODY,

VIII. HE WAS A DEFENDER OF THE LAW REGARDING THE SEPARATION OF CITIES FROM THE CHURCH,

IX. HE REJECTED THE DIVISION.

X. AS A MASTER OF THE FAITH, HE CRUSHED THE DANGEROUS ERRORS OF ALL, RENEWING THE DOCTRINES WITH DAMNATION.

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On the 30th of August, during the final funeral rites, the following prayer was recited by the Reverend Father Pacifico Massella, Secretary for writing Latin letters:

ORATION FOR THE DECEASED POPE

Concerning Pope Pius X, the Supreme Pontiff, I fear, most esteemed Fathers, that I may fail to adequately express the virtues of this great man. For it must be remembered that this Pontiff's praise began from humble origins and rose to the highest point; whose intellect and actions, in all the duties of the priesthood, were...

[*Latin ed. p. 435*]

The funeral obsequies of Our Most Holy Fathers, the Popes, were held in the Sixtine Chapel, and 435 [persons] were present at the highest point of his pontificate: whose conduct, indeed, proved itself so much to all, that it overcame the opinions and wills of all. These things certainly demonstrate the brilliance of his mind, character, and counsel; and the most honorable gift, entrusted to you in this most holy temple and before your assembly, for its further embellishment, I accept, so that I may clearly feel how inadequate my future prayers will be for so great a man. The thought of praising each of his deeds elevates the mind, and these are so abundant in Pope Pius, that rather than abundance, the manner of speaking must be sought; but for you, they are so well known that it is scarcely possible to enumerate them.

With this in mind, I approach the task, and, touching upon the most important matters, I shall show that Pope Pius was one who, through active charity, brought about the most profound governance, defense, and renewal of the Church. It was truly unique in this Pontiff, whom we honor, that he was not engaged in one or two things alone, but that there was no priestly duty in which he did not offer testimony of apostolic zeal. Having increased the number of priests, to which he brought the virtues and teachings that he had so abundantly acquired for himself in the seminaries of Padua, Tombolo, and Salzano, and in the more frequent cities of Tarvisio, Mantua, and Venice, he was received as a canon of the cathedral church, as a teacher of piety in the sacred seminary, as a moderator of the diocesan curia, as a bishop, as a cardinal father, as a patriarch; and always among those peoples, and forever, the memory of this most vigilant shepherd will flourish, not only inscribed in monuments of stone, but faithfully remembered in the hearts of all the good, and as the dispenser of the mysteries of God. Who else, besides him, could more aptly govern the entire Catholic world, to whom so much experience had been compared in the discharge of his duties, so varied and so long-lasting? Indeed, it was not hidden from your most distinguished College, which, by your votes, called him to the

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most important office of Pope Pius, which he accepted. And in undertaking this office, it is truly incredible how much determination he brought to it. For a man who always considered himself modest, so followed the will of God, that he exhibited a vigor of spirit, a cheerful eagerness, and a burning flame, as one who burns in the fire (Ecclesiasticus 3:9). After being raised to that highest position, Pope Pius was able to see more fully and better how things were going throughout the Church, what was good for religion, what times demanded: and, looking at the heights and the vastness, this was a remarkable characteristic of his pontificate, and the manner in which he governed.

[*Latin ed. p. 436*]

436 Acta Apostolicae Sedis - The official commentary states that he decreed "to restore all things in Christ," and that all his plans and endeavors would be directed towards this goal. This is a great and noble work, since it touches upon all and all aspects of the life of the Church, pertains to all orders of the Christian faithful, and encompasses the entire body of human society. I say, a great and arduous work, because it seems that correcting evils, overcoming enemies, and thwarting their insidious schemes present an almost unbelievable difficulty. But what will not he dare, whom the love of Christ and the Church inflames? The path to be followed is not hidden from the Pontiff, who is a keen observer of the affairs of men and things: and first of all, the discipline of the clergy must be fostered, and a love for the divine glory must be cultivated within them. Then, piety must be awakened in the people, and the practice of Christian virtues must be revived. The administration of the Church must be such that the laws, better digested and more suited to the needs of the present time, would more easily contribute to the purpose of the restoration of humanity in Christ. And first of all, the sacred clergy claimed the largest part of the active charity of Pius; for he had clearly experienced that nothing is more conducive to the improvement of the morals of the people than the holy life of the clergy. Hence, in his encyclical letter *E supremi* addressed to the clergy, he wished above all to open his mouth and his heart, urging them vehemently to seek those things that are above, and to understand those things that are above! And throughout his pontificate, no opportunity was more pleasing to him than when he admitted men to the sacred orders; and he never spoke to them without urging them to diligently fulfill the duties of the office they had accepted. The account reminds us to mention, in particular, that sweet exhortation to the clergy, which Pius issued when he completed his fiftieth year of priesthood. In it, the venerable old man was so carried away by the thought of the majesty and sanctity of the priestly office, that no care was more important to him, no desire more fervent, than that all those who are called by the Lord should worthily hold their rank. But Pius not only wanted goodness and discipline to flourish in the

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clergy, but also that science, which would prepare them for every good work. Hence, he founded an academy in the City to promote the study of biblical subjects, and he diligently provided for the Italian seminaries to be organized in such a way as to give hope of a more fruitful institution, and he ensured that the doctrine of St. Thomas Aquinas was always honored in Catholic schools. Nor did Pius allow his concerns to neglect the religious Orders and institutions; indeed, he restored the regular discipline, which had collapsed, with the wisest of laws, and he made it safe and firm; he provided for the promotion of studies; and he regulated the admission and departure of novices with more appropriate legal provisions.

[*Latin ed. p. 437*]

The funeral obsequies of our most holy Pope Pius X were held in the Sistine Chapel, 437. This concern for the welfare of the clergy was a matter of great care for Pope Pius, regarding the Christian people. I would recall to your minds the individual testimonies of his charity and providence, were I not pressed by the urgency of time. Indeed, most esteemed Fathers, all that was said and done by Pope Pius was directed towards this end, that all who profess the name of Christian should clothe themselves in Christ and express that faith which works through charity. And it is truly incredible how zealously he persevered in this, remaining steadfast to this purpose until the very end of his life. Indeed, you will not find any age that he did not strive to nurture, or any effort that he did not attempt to make for Christ; no industry that he neglected, nor any opportunity that he did not eagerly seize to draw all hearts to the love of virtue. I will now pursue a few matters in detail, and I will recall his skill both in imparting and spreading Christian instruction, and in promoting the worship and more frequent and mature use of the Eucharist. It is clear to all that Pope Pius possessed a wise and provident counsel, if one considers the lamentable ignorance of Christian wisdom and the unrestrained pursuit of bodily pleasures to which most people have become devoted, a devotion that turns them away from God, and to which we are all witnesses, compared to the efforts he made to promote the faith. May the faithful, following the example of this Pastor, pray that they may learn early and deeply impress upon their minds that they are not born for these fleeting things, but for eternity, and that they may draw daily strength from that heavenly banquet, which, by increasing charity, nourishes faith, restrains lust, and strengthens the hope of blessed immortality. Furthermore, understanding fully how important it is to provide for the certain and expeditious handling of affairs, Pope Pius undertook the task of collecting the laws of the entire Church into a single code, and of organizing the Roman Curia, increasing the number of offices and establishing fixed regulations by which each of them must be governed. This work, long desired, will ensure that the name of Pope Pius is never erased from the memory of men. How much labor and industry

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did Pope Pius devote to governing the Church, compared to how much he devoted to defending it? It is hardly necessary to point out what is known to all: the times in which Pope Pius lived were turbulent. He had to contend with the attacks of internal and external enemies, who sought to deprive the Church of all legitimate rights, to undermine its governance, and to strive to ensure that unrestrained license would prevail everywhere; and who sought to disturb the sources of Catholic doctrine, to tear apart the sacred deposit of faith, to impose a new form on the Church, to establish new laws, and new rights. This was a varied kind of warfare.

[*Latin ed. p. 438*]

438 Acta Apostolicae Sedis - Commentaria Officialia: various weapons; but the same nefarious designs against the Lord and against the plans of Christ, the same hostile force, by whose impulse and urging they are undertaken, the same fury. But both kinds of enemies found in Pius a union of fortitude with charity, of prudence with simplicity. This was maturely experienced by the modernists, whose pestilent errors had spread so widely, and had already caused such ruin of souls, that the good Pastor, from the very beginning of his pontificate, immediately entered into the arena of conflict and discernment. But the more serious the dangers, the more vigilant was Pius. Indeed, by the Decree Lamentabili and by memorable letters, he forbade the poisons of new doctrines, and exposed the arts by which their authors were using to deceive. Moreover, even against those who, even after this, continued to seek out new accomplices and to gather in clandestine groups, he issued letters to the Sacred Canons and to the perjured, so restraining their audacity that they were either compelled to take a healthier path, or to abandon their false persona. Nor was Pius slow to act against external enemies. It is truly marvelous how prudently, how opportunely, he used all that was offered to him to prevent the violation of the laws of the Church, to restrain those who were rushing to violate them, and to foster stable and sincere bonds of mutual friendship between the sacred and civil powers. But he, who had always shown a gentle and merciful nature in reconciling concord, in settling controversies, proved to be sharp and unyielding when the consciousness of duty demanded it, when the apostolic office required him to be the guardian, the defender, the avenger of the rights of the Church. I have touched upon some of the things that a good pastor accomplished in governing and protecting the Church. But my words would be too meager if I did not also mention the worthy virtues of the Church's pastor, which were so clearly evident in Pius, so that he deserved praise for the absolute sanctity of his character. Allow me to pass over other virtues in silence, and to turn your thoughts and draw them close to the supreme piety towards God, to the entirely singular modesty of mind, to the abundant charity towards all. I wish to adorn them with fitting words, and to express them in such a way that the

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image of the most holy Pontiff might shine forth with its own light. But what can I bring to you, most venerable Fathers, that is not already clear to you? I mean, to you who shared with him deliberations, cares, and labors; who have seen in him a man resting in the hope of divine help in times of adversity for the Church, who in times of prosperity gave nothing to himself, and who, in the distresses and misfortunes of his children, was filled with anxious solicitude? And finally, what can I remember of the praises that have always been given to Popes, who, for the protection and dignity of religion, have always been esteemed as cultivators of good arts? As one approaches the Vatican palaces, one finds not a few, nor obscure...

[*Latin ed. p. 439*]

The funeral rites of Our Most Holy Pope Pius X in the Sistine Chapel offer 439 testimonies to the foresight of Pius in every matter. The observation towers, the Pinacoteca, the Museums, the Library, and other monuments throughout the papal residence bear the name of Pius X, and will forever proclaim to posterity how diligent he was in ensuring that all forms of human endeavor experienced new and daily growth. Therefore, considering all the good deeds and virtues that adorned Pius, no one will surely consider excessive the esteem he enjoyed among all while he was alive, nor this, of which we are witnesses, the sincere and unanimous lamentation of the entire Catholic world upon his death. Although there is no reason for us to weep, Pius, for you have, as it were, after a long and laborious journey, arrived at that place where your treasure, where your heart was in all of life. But charity never fails. Therefore, received into the heavenly mansions, continue to cherish and protect the Church, which you so greatly loved, so that a great priest may soon be appointed who will please God in his days, and in this most miserable time of anger, reconciliation may be brought about among warring peoples. TESTIMONIES OF GRIEF UPON THE DEATH OF THE SUPREME PONTIFF: FROM CIVIL REGIMES' REPRESENTATIVES AT THE HOLY SEE. On August 25th, access to the Holy College was granted to the representatives of the Civil Regimes, at their request. This solemn reception took place in the Hall of the Consistory. The Most Excellent Lord, John Schönburg-Hartenstein, Prince, Extraordinary Envoy of the Austro-Hungarian Empire, addressed the most eminent Fathers in this manner: Most Eminent Lords, Venerable Princes of the Church, Deeply moved by the cruel loss that the Catholic Church has suffered through the death of the Supreme Pontiff, His Holiness Pius X, I fulfill a sad duty in expressing, in my name and in that of

[*Latin ed. p. 440*]

440 Acta Apostolicae Sedis - Commentarium Officiale: To my colleagues and to the entire Diplomatic Corps accredited to the Holy See, I offer the tributes of our deepest condolences. This cruel loss, which will be deeply

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felt throughout the entire world, must particularly afflict the Diplomatic Corps accredited to the Holy See, which had the happiness of witnessing this essentially Apostolic reign, and which is always animated by the desire to conform the good of the Church to the intentions of the Sovereigns and Governments that we have the honor of representing. The profound wisdom of the deceased Supreme Pontiff, His spirit of justice, and His incomparable goodness surrounded Him already during His life with a halo, the rays of which will never fade. Moreover, it is these high personal qualities that won for Pope Pius X, during His glorious reign, the hearts and the deep esteem of civilized humanity, and which will render His memory unforgettable. In this sad moment, we join our prayers with those of the Sacred College and of the entire Christian world, praying to Almighty God to grant to His great departed Servant the grace and the eternal light. To this, the Cardinal Dean responded with these words: "Mr. Ambassador, at this sad moment when we mourn the cruel loss of an incomparable Pontiff, the Sacred College receives with gratitude the testimony of condolences that the Members of the Diplomatic Corps offer to it through the authorized voice of their worthy Dean. In the immense grief that inundates the Catholic world, this manifestation of sympathy and this assurance of union in prayer, from the Diplomatic Corps accredited to the Holy See, are for us a relief in the pain that afflicts us, and a support in the fulfillment of the task that is incumbent upon us. Please, Mr. Ambassador, and you all, Gentlemen Members of the Diplomatic Corps, accept our heartfelt thanks, and convey, to the respective Sovereigns, Heads of State, and Governments, the profound gratitude of the Sacred College of Cardinals. Surrounded by your assistance, faithful to all the grave oaths that bind us and which we have, these days, solemnly renewed, and aided especially by the light from above, may we obtain from God the grace to soon give to the Holy Church her new Supreme Pastor!"

[*Latin ed. p. 441*]

Upon the death of Our Most Holy Lord Pope Pius X, testimonies of grief, 441. TESTIMONIES OF GRIEF SENT BY TELEGRAPH. From the most august Emperor Francis Joseph of Austria, King of Hungary, Apostolic: The most excellent Count John Schönburg-Hartenstein, extraordinary legate with the willing mandate of the Austro-Hungarian Empire, signified to the Sacred College of Cardinals that he had received the following mandate from the most august Emperor: "You are to express to the Sacred College My most sincere and most profound condolences on the occasion of the cruel loss that Our Holy Church and the entire Catholic world have suffered through the death of His Holiness Pius X of glorious memory, who governed the Catholic Church for more than two decades with such benevolence and such wisdom, and whose high qualities will ensure him an indelible remembrance in history." Furthermore, the most excellent Apos-

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tolic Nuncio confirmed this with the following: To the Most Eminent Cardinal Chamberlain of the Holy Roman Church, Vatican - Rome. Vienna, 23. As soon as the death of the Holy Father was known, His Majesty sent his General Aide-de-Camp, Count Paap, to express condolences. Various Archdukes and Archduchesses personally; others through their chamberlains, the Minister of Foreign Affairs, the President of the Council of Ministers, high-ranking officials of the court, the diplomatic corps, the aristocracy, and a great many people came to the Nunciature. I have received numerous telegrams from every part of the Monarchy. On Tuesday, Wednesday, and Thursday, solemn funeral services will be held at the Metropolitan Church. Scapinelli, Apostolic Nuncio.

[*Latin ed. p. 442*]

442 Acta Apostolicae Sedis - Commentarium Officiale.

From the Most August Emperor of Germany and King of Prussia: To His Eminence, Cardinal Serafino Vannutelli, Vatican Palace - Rome. Headquarters, 20th [of the month]. Your Eminence, I beseech you to convey to the esteemed College of Cardinals the expression of my sincere sympathy for the profound sorrow in which the Catholic Church has been plunged by the passing of its Supreme Head. / WILHELM I. R.

From the Most August Catholic King of Spain: To Cardinal Merry del Val, Secretariat of State - Vatican - Rome. Madrid, 20th. With all sincerity, I join, in the name of the Spanish Nation and in the name of the Queen, the entire Royal Family, in mourning with the Catholic world for the painful loss of the Vicar of Christ. ALFONSO R.

From the Most August King of the Belgians: To Cardinal Merry del Val, Vatican - Rome. Antwerp, 21st. Their Majesties the King and the Queen, the Government, and the representatives of all ecclesiastical and civil authorities have requested me to express to Your Eminence the share that Belgium takes in the mourning that deprives the Church of its beloved and venerated Supreme Pastor and Head. Ardent supplications are already rising to Heaven for the repose of the soul of the Most August Deceased. Jean Tacci, Apostolic Nuncio.

[*Latin ed. p. 443*]

Upon the death of Our Lord Pope Pius X, testimonies of grief:

From the Most August King of Bavaria: To His Eminence, the Most Reverend Lord Dean of the Holy College, Cardinal Serafino Vannutelli, Bishop of Ostia. Rome. Munich, the 20th. The news of the departure of His Holiness, Pope Pius X, has deeply moved me. I beseech Your Eminence to convey to the Holy College the expression of my heartfelt condolences for the grievous loss which our Holy Catholic Church has suffered in these difficult times, through the death of its beloved Supreme Shepherd. The many proofs of paternal kindness which the Holy Father has shown to me

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and to the Royal House, I shall always cherish in grateful memory.

LUDWIG, King of Bavaria.

These were confirmed by the Most Excellent Apostolic Nuncio with the following words:

Cardinal Camerlengo, Vatican - Rome. Munich, the 20th. His Majesty personally came to this Nunciature to renew his heartfelt condolences, already expressed by telegraph to Your Eminence, Fmhwirth.

From the Most August King of Great Britain, Emperor of India: The Minister for Foreign Affairs of the British Kingdom wrote:

To the Cardinal Secretary of State, The Vatican - Rome. London, the 20th. The King has received the news of the Pope's death with deep concern, and commands me to convey to Your Eminence the assurance of His Majesty's sincere sympathy.

Grey.

[*Latin ed. p. 444*]

444 Acta. Apostolicae Sedis - Commentarium Officiale. From the Most August Queen of the Netherlands: Cardinal Merry del Val, Vatican - Rome. Antwerp, 23. Monseigneur Vallega telegraphs from The Hague: "The death of the Holy Father has caused profound emotion here. Their Majesties the Queen, the Queen Mother, "His Highness the Prince of the Netherlands, the Minister of Foreign Affairs, the Government, the Diplomatic Corps, the Episcopate, and the faithful have expressed to me their sentiments of regret and sorrow for the great loss that the Catholic Church has suffered." Jean Tacci, Apostolic Nuncio. From the Most August King of Montenegro: To the Sacred College of Cardinals of the Holy Roman Church - Rome. Cetigne, 24. The death of His Holiness the Pope has deeply grieved me. My people, and especially my Catholic subjects, have felt with me the departure of the saintly and venerable Pontiff, whose last acts, recorded in the annals of his glorious pontificate, were a testament to his affection and esteem for the Serbian people, and an effort dictated by the divine Founder of our Religion, to halt the scourges of a terrible war. I pray that the Sacred College of Cardinals will accept the most profound and sincere condolences for the cruel grief that has just struck the Church. NICOLAS. From the Most August King of Sweden: Cardinal Merry del Val, Vatican - Rome. Stockholm, 20. The King charges me to express his condolences. The Apostolic Vicar of Sweden.

[*Latin ed. p. 445*]

Upon the death of Our Most Holy Father, Pope Pius X, testimonies of grief: From the Most August King of Saxonia: The College of Cardinals. - Rome, Dresden, 21. To Your Eminences, I express my most sincere condolences upon the passing of our unforgettable Holy Father. FRIEDRICH AUGUST. From the Most August King of Lusitania, most faithful: Cardinal

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Merry del Val, Vatican - Rome. Twickenham, 21. Deeply grieved by the painful news of the death of His Holiness, the Queen and I pray that Your Eminence will accept the expression of our sorrow. I shall never forget the paternal kindness that His Holiness has always shown us. At this terrible moment, we join our prayers with those of Your Eminence. MANUEL R. From the Most August Queen-Mother of Lusitania: His Eminence Cardinal Merry del Val. - Rome. Richmond, 21. In union of sorrow and prayer, I offer the expression of my deepest condolences. AMÉLIE. To the Most Serene Grand Duchess of Luxembourg: To His Eminence, Cardinal Merry del Val. - Rome. Luxembourg, 22. Deeply grieved by the misfortune that has struck us all, I pray that Your Eminence will believe and make known to the Sacred College that I join my prayers with his, and with those of the entire Church, of which my mother, my sisters, and I shall always be the most obedient and devoted daughters. MARIE ADÉLAÏDE.

[*Latin ed. p. 446*]

446 Acta Apostolicae Sedis - Official Commentary

From the Most Serene Prince, Regent of the Kingdom of Serbia: His Eminence Cardinal Merry del Val, Secretary of State. - Rome. Nish, 22. I learn at this very moment, with painful emotion, the news of the death of the Supreme Pontiff, and I hasten to transmit to Your Eminence, along with my sincere condolences, the assurance that in my country, the memory of the Holy Father, under whose auspices the Concordat with Serbia was concluded, will be religiously preserved. ALEXANDER.

From the Most Excellent President of the United States of America: The Most Excellent Edmund Mayor of the States of the United States of America, Mr. Thomas Kennedy, titular Bishop of Hadrianopolis and Rector of the College of North America in the City, informed that he had received the following from the Secretary of State of the Federation: The President desires me to express his sense of the great loss which the Christian world has sustained in the death of His Holiness Pius X. By his pure and gentle character, his unaffected piety, and his broad and thoughtful sympathy with his fellow men, He adorned his exalted station and attracted to Himself the affectionate regard of all who felt his world-wide influence.

From the Most Excellent President of the Swiss Confederation: To Their Most Eminent and Reverend Lords the Cardinals, Heads of Orders, Rome. Bern, 20. The Swiss Federal Council learns with sorrow the loss that befalls the Roman Catholic Church in the person of the venerated Supreme Pontiff, His Holiness Pope Pius X. The Federal Council prays Your Eminences Reverend to accept and to have accepted by the Sacred College, the expression of its deepest regrets and of all its sympathy. The President of the Swiss

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Confederation, HOFFMANN.

[*Latin ed. p. 447*]

Upon the death of Our Most Holy Lord Pope Pius X, testimonies of grief: From the Most Excellent President of the United States of Brasiliae: To the Most Eminent and Reverend Cardinal Chamberlain of the Holy Church of Romana, Rome. Rio de Janeiro, 20. I present to Your Eminence the most reverent condolences, on behalf of the Brazilian nation and in my own name, for the passing of the Supreme Pontiff Pius X. HERMES RODRÍGUEZ DA FONSECA, President of the Republic. Which were confirmed by: Most Eminent and Reverend Cardinal Merry del Val, Secretary of State of the Holy See, Rome. Rio de Janeiro, 20. The President of the Republic, his Ministers, and all of Brazil received with the deepest sorrow the news of the passing of the Most Holy Father Pius X. The Brazilian people will never forget the paternal affection with which His Holiness always distinguished them during his pontificate. I especially request that Your Eminence accept the expression of my personal sentiments, and do me the favor of conveying them to the Most Eminent and Reverend Cardinal Chamberlain of the Holy Church of Rome and to the Sacred College. Lauro Muller, Minister of Foreign Affairs. From the Most Excellent President of the Republic of Argentinae: To His Eminence Cardinal Francesco Salesio Della Volpe, Rome. Buenos Aires, 20. I present to Your Eminence the most sincere condolences of the Government and the Argentine people for the death of the venerable and illustrious Pontiff Pius X, who benefited the Catholic Church and all of civilized society. V. DE LA PLAZA, President of the Argentine Republic.

[*Latin ed. p. 448*]

448 Acta Apostolicae Sedis - Official Commentary From the Most Excellent President of the Republic of Peru: To His Eminence the Cardinal Chamberlain. - Rome. Lima, 22. The irreparable misfortune that afflicts Christendom is all the more painful for my homeland, whose veneration and love for the holy and learned Pontiff, Pope Pius X, were particularly profound. Please receive, along with the expression of my deepest condolences and those of my Government and the Peruvian nation, the testimony of our filial adherence to the Holy See. Colonel BENA VIDES, President of Peru. From the Most Excellent President of the Republic of Chile: To His Eminence the Cardinal Chamberlain. - Rome. Santiago, Chile, 20. The Chilean nation and its Government offer, Your Eminence, the expression of their sincere condolences on the occasion of the death of His Holiness Pope Pius X. RAMON BARN LUCO, President of the Republic of Chile. From the Most Excellent Men, the President and Rectors of the Republic of Colombia: To the Cardinal Secretary of State, Rome. Bogota, ... In the name of the President of the Republic and in my own name, I present to Your Excellency the expression of the profound sorrow of the Colombian

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nation, for the death of the illustrious and holy Pontiff, glory of the Church and honor of all humanity. Suarez, Minister of Foreign Affairs.

[*Latin ed. p. 449*]

In the passing of Our Lord, Pope Pius X, testimonies of grief from the Most Excellent President of the Republic of Venezuela: 449 * Most Eminent Cardinal Secretary of State of the Holy See, Rome. Caracas, 26. In the name of the President of the Republic, I transmit the testimony of the pain with which the Government and people of Venezuela have received the news of the death of His Holiness. Manuel Diaz Rodríguez, Minister for Foreign Affairs. From the most distinguished men, Rectors of the Republic of Costa Rica: Your Eminence, Cardinal Secretary of State, Vatican - Rome. Vichy, 20. Deeply distressed by the death of the Most Holy Father, Pope Pius X, on behalf of the Government of Costa Rica and on my own behalf, I ask you to convey to the Sacred College and to accept, Your Eminence, the expression of our most respectful condolences. Peralta, Minister of Costa Rica. To the Most Serene Prince Alfonso, Count of Caserta: Prince Della Scaletta, Villino Ruffo - Porta del Popolo - Rome. Cannes, 21. My family and I, deeply saddened by the sad news of the death of the Holy Father, pray that you will express to Your Eminence the Cardinal Camerlengo and to the Sacred College our immense sorrow and our most heartfelt condolences. ALPHONSE, Count of Caserta. To the Most Serene Archduchess Maria Theresa of Austria: Your Eminence, Cardinal Merry del Val, Vatican - Rome. Vienna, 20. Deeply grieved by the unexpected news of the death of His Holiness, who in these grave moments represents such a great...

[*Latin ed. p. 450*]

450 Acta Apostolicae Sedis – As an official record pertaining to our Holy Church, I offer to Your Eminence, and through Your kind intercession to the Sacred College, my most sincere condolences, as well as those of my daughters, Mary Annonciade and Elizabeth. MARY-THERESE, Archduchess of Austria. To the Most Serene Princess Maria Antonia, Duchess of Parma: His Eminence, Cardinal Merry del Val. – Rome. Vienna, 20. Deeply grieved by the death of our venerable Holy Father, who has always been so good to us, I offer to Your Eminence, in my name and that of my children, the expression of our filial sorrow, as well as our most sincere condolences, and I beseech Your Eminence to convey them to the entire Sacred College. MARIA-ANTONIA, Duchess of Parma. To the Most Serene Princes, the Infantes of Spain: From His Eminence, the Secretary of State, Merry del Val. – Vatican – Rome. Altmünster, 21. Overwhelmed with the greatest sorrow, we have no words to express to Your Eminence, Most Eminent Lord, our profound grief and the part we take in Your Eminence's sorrow, to whom we respectfully kiss the hand. ALFONSO of Bourbon and Austria-Este, MARIA de las Nieves. To the Most Serene Prince George, Duke of

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Saxonia: Abbot Primus of Stotzingen, Saint Anselm – Rome. Dresden, 20. My wife and I request that you, Cardinal Secretary of State and Cardinal College, express our most heartfelt participation in prayer, united with him for the highly esteemed deceased. JOHAN GEORGE of Saxonia.

[*Latin ed. p. 451*]

Upon the death of Our Most Holy Lord Pope Pius X, testimonies of grief:

From the Most Serene Princess of Trani, Countess: To His Eminence Cardinal Merry del Val, Vatican - Rome. Partenkirchen, 23. Please accept the expression of my deepest sympathy for the great misfortune that afflicts everyone. Countess of Trani.

To the Most Serene Princess Isabel, Countess of Agrigento: To His Eminence Cardinal Merry del Val, Vatican - Rome. S. Ildefonso, 21. Receive, Eminence, all my condolences for the great sorrow that afflicts all Catholics by the death of His Holiness. ISABEL of Bourbon, Countess of Girgenti.

To the Most Serene Princess Mathilde, Duchess of Saxonia: From Abbot St. Anselm - Rome. Pillnitz, 23. Please express my participation to the Holy College. MATHILDE, Duchess of Saxonia.

To the Most Serene Princess Charles Theodore, Duchess of Bavaria: The Most Excellent Apostolic Nuncio in Bavaria has signified this: To the Cardinal Chamberlain, Vatican - Rome. Munich, 22. Her Royal Highness Duchess Charles Theodore requests that my most heartfelt condolences be conveyed to the Sacred College for the death of the Holy Father. Frühwirth.

[*Latin ed. p. 452*]

452 Acta Apostolicae Sedis - Official Commentary. From the Most Serene Princess, Duchess of Madrid: Her Eminence, Cardinal Secretary Merry del Val, Vatican - Rome. Venice, 20. I express my profound sorrow to the Sacred College and to Your Eminence. MARIA BERTA of Bourbon, Duchess of Madrid. From the Most Eminent Prince, member of the Order of the Knights of Jerusalem: To the Most Eminent Signor Cardinal Chamberlain of the Holy Roman Church, Vatican - Rome. Trento, 20. Deeply moved, I lament the unexpected loss of our Supreme Pontiff, Pius X. I pray that God may bless the Sacred College and the Catholic Church. Grand Master THUNN. From the Most Excellent Man, Duke of Norfolk: Cardinal Merry del Val, Vatican - Rome. London, 21. I beg to be allowed to submit, in the name of the Catholic Union of Great Britain, the expression of our heartfelt sorrow at the [death of His Holiness the Pope], and to offer to Your Eminence and to all others, our deep condolences. Duke of Norfolk. From the Most Excellent Men, Regents of the Empire of Japan: To His Grandeur, Secretary of State, Vatican - Rome. Tokio, 22. The Imperial Government of Japan presents its sincere condolences on the occasion of the death of His

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Holiness. KATO.

[*Latin ed. p. 453*]

Upon the death of Our Most Holy Father Pius X, testimonies of grief:

From most excellent men, the Governors of the Republic of Santo Domingo: To His Eminence, Cardinal Merry del Val, Rome. Santo Domingo, 24. Receive the sincere condolences of the Government and the people of Santo Domingo on the occasion of the death of the Holy Father. The Secretary of State, Guillon.

From most excellent men, the Administrators of Norway: To the Secretary of State of the Holy Father, Rome. Kristiania, 23. Accept the sincere condolences of the Norwegian Government on the occasion of the death of His Holiness. Jhlen, Minister of Foreign Affairs.

From most excellent men, the Governors of the Republic of Peru: To His Eminence, the Cardinal Secretary of State. Rome. Lima, 22. Deeply moved by the death of His Holiness, Pope Pius X, I present to Your Eminence the testimony of the profound sorrow of the Government and the people of Peru. F. Fernando Gazzani, Minister of Foreign Affairs of Peru.

From most excellent men, the Governors of the Dominion of Canada: The Most Reverend and Reverend Lord Apostolic Delegate has signified: Cardinal Della Volpe, Vatican - Rome. Ottawa, ... Numerous testimonies of sympathy regarding the death of the Holy Father, from the Governor General, Bishops, clergy, and faithful. Stagni. ACTA, vol. VI, n. 13. — 8-31-1914. 32

[*Latin ed. p. 454*]

Acts of the Apostolic See - Official Commentary 454 From the Most Excellent Catholic: and Most Reverend Lord, Patriarch of the Greek Rite: His Eminence, Cardinal Camerlengo - Rome. Alexandria, 22. His Holiness Pope Pius X, the cause of worldwide sorrow, deeply grieved, presents sincere condolences to the Sacred College. KYRILLOS, Greek Catholic Patriarch. From the Most Excellent and Most Reverend Lord, Patriarch of the Armenians: Pera, 22. Deeply grieved, we express our sincere condolences and implore peace for the soul of the blessed Pontiff, and heavenly blessings upon the Conclave. Patriarch TERZIAN. From the Most Excellent Man, President of the Ministers of the Kingdom of Bavaria: His Eminence, the Most Worthy Lord Cardinal Merry del Val, Vatican - Rome. Munich, 20. Your Eminence, I beg you to accept the expression of the deep sorrow with which the news of the passing of His Holiness Pope Pius X fills me. Minister-President Count Bertling. From the Most Excellent Men, Administrators of the Kingdom of Serbia: The Excellent Man, Envoy of the Kingdom of Serbia to the French Republic, signified: His Eminence, Cardinal Secretary of State, Rome. Paris, 20. Deeply grieved by the death of the Holy Father, I hasten to express to Your Eminence the sincere condolences of the Serbian

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Government, as well as my own.

[*Latin ed. p. 455*]

Upon the death of Our Lord, Pope Pius X, 455 personal testimonies, in this great sorrow for the Catholic Church. My heartfelt sympathies accompany Your Eminence in your grief. Vesnitch. From the most excellent men, the Administrators of the Kingdom of Montenegro: His Eminence, Cardinal Merry del Val, Secretary of State, Vatican, Rome. Cettigne, 24. In the name of the Government of Montenegro, I hasten to offer Your Eminence the expression of its deepest condolences, on the occasion of the great sorrow that afflicts the Catholic Church by the death of His Holiness, Pope Pius X. Minister of Foreign Affairs, Plamenatz. From the most excellent men, the Senators of the Republic of Chile: To His Eminence, the Cardinal Chamberlain. Rome. Santiago, Chile, 23. The Senate of the Republic of Chile agreed to suspend its session of yesterday in honor of the memory of His Holiness, Pope Pius X, and to express to Your Eminence the expression of its sincere sorrow for the passing of the illustrious Pontiff. Carlos Aldunate, Enrique Zanartal, Pro-Secretary. From the most excellent men, the members of the popular tribunal of the Republic of Chile: To His Eminence, the Cardinal Chamberlain, Rome. Santiago, Chile, 22. The Chamber of Deputies of the Republic of Chile, joining in the mourning of the Catholic Church, agreed to suspend its session of today and to express to Your Eminence the expression of its sincere sorrow for the passing of the illustrious Pontiff. Carlos Balmaceda, President, and Gonzalez Edwardo, Secretary.

[*Latin ed. p. 456*]

456 Acta Apostolicae Sedis - Official Commentary. From the most eminent Legate of the United States of America to the most august Emperor of Austria: Bishop Kennedy to the American College, Rome. Vienna, 20. We express our deepest sympathy to Merry del Val and all the Penfields, Ambassador. Furthermore, almost countless other testimonies of piety and obedience have been received; and since it is almost impossible to respond individually to all, the Sacred College publicly expresses here its gratitude towards all those who have participated in the Church's suffering. R. I. P.

[*Latin ed. p. 457*]

Year VI. - Volume VI. September 3, 1914. No. 14. ACTA APOSTOLICAE SEDIS COMMENTARIUM. With official announcement: We have great joy to announce to you the Pope, His Most Eminent and Most Reverend Lord, Cardinal Jacobus Della Chiesa, who has taken the name Benedict XV. This joyous news was proclaimed by His Eminence Francis Salesio Della Volpe, - Cardinal Protodeacon of the Holy Roman Church, and Prefect of the upper portico of the most holy Basilica of the Vatican, on Friday, September 3,

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1914, at 11:30.

[*Latin ed. p. 458*]

458 Acta Apostolicae Sedis - Official Commentary. SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH, CONCERNING ORIENTAL RITES. DECREE CONCERNING THE SPIRITUAL ADMINISTRATION OF THE GREEK-RUTHENIAN CHURCH IN THE UNITED STATES OF AMERICA. Since to the Greek-Ruthenian Bishop of the United States, full and ordinary jurisdiction over the clergy and the entire people of the Greek-Ruthenian rite in the United States of America, whether permanently or temporarily residing, was granted by the Apostolic See in the year 1912, and considering that, in plenary assemblies held on August 10th of this year, the Most Eminent and Most Reverend Fathers Cardinals, Prefects of the Sacred Congregation for the Propagation of the Faith concerning Oriental Rites, deemed it opportune to establish laws concerning the spiritual administration of the Greek-Ruthenian Church in the aforementioned region, the following are established:

CHAPTER I. Concerning the Greek-Ruthenian Bishop.

Article 1. The appointment of the Greek-Ruthenian Bishop for the region of the United States of America is reserved to the Apostolic See.

Article 2. The Greek-Ruthenian Bishop and his legitimate successors in the United States of America shall remain under the immediate jurisdiction and authority of this Apostolic See, and shall exercise full ordinary jurisdiction over all the faithful of the Greek-Ruthenian rite, whether permanently or temporarily residing in the United States of America, subject, however, to the Reverend Prelate, Delegate Apostolic of Washington, for the time being.

Article 3. To him belongs the right and power to govern his flock and to establish laws and statutes in matters that do not contradict common law. His principal duty, however, will be to ensure that both doctrine and good morals, as well as the rites and discipline of the Catholic Greek-Ruthenian Church, are faithfully maintained. The Greek-Ruthenian Bishop shall therefore ensure uniformity of ceremonies in various devotions, as well as in the transmission of...

[*Latin ed. p. 459*]

"S." The Congregation for the Propagation of the Faith, 459. Concerning the customary Sacraments, those approved according to the rubrics of the Typicon in the Greek-Ruthenian rite, are to be introduced, and strict observance of these by its priests is to be demanded. Art. 4. The Bishop is strictly bound to frequently and regularly visit the Greek-Ruthenian missions, so that he may thoroughly know the flock entrusted to him, and better provide for all things pertaining to its spiritual well-being. Art. 5. During the canonical visitation of parishes, the Bishop shall inquire whether the pas-

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tors diligently perform all parochial duties, especially the visitation of the sick, the instruction of children, the preaching of the Word of God on Sundays and feast days; he shall also examine all books of baptisms, marriages, and deaths; and the inventory of ecclesiastical goods from the last two years; and he shall demand accounts from each rector of the mission, that is, he shall examine and approve the books of revenues and expenses of each church, its material condition, debts, etc. In order that the security of the temporal goods of churches, cemeteries, and all things belonging to the Church may be carefully considered, the Greek-Ruthenian Bishops, after hearing the advice of competent and consulted men, shall use those forms of title of possession, and shall observe all prescriptions that are in accordance with the laws of the individual States, and which favor the administration, preservation, and safe transmission of ecclesiastical goods for the future. Art. 6. The annual support of the Bishop shall consist of contributions similar to those of a cathedral, which, according to equity, shall be determined by the Bishop, after hearing the voices of his advisors, and which each Ruthenian church of the diocese is bound to provide. The pastors of the churches are bound to account for the exact payment of these contributions and others determined by the Bishop and his advisors, for the seminary, orphanage, missions, etc. Art. 7. The ordinary residence of the Greek-Ruthenian Bishop shall be in the city of New York, N.Y., while the Vicar General and the rector of the seminary shall be in the city of Philadelphia, Pa. Art. 8. Every five years, the Bishop shall present a full and accurate report to the Apostolic Delegate on the personal, moral, and material condition of the missions of his own rite, which the Delegate shall transmit to the Sacred Congregation for the Propagation of the Faith for the affairs of the Oriental Rite; and, according to the custom among bishops of the United States, he shall at least every ten years visit the sacred shrines of the Apostles, in order to render obedience to the Supreme Pontiff, and to give an account of his pastoral work.

[*Latin ed. p. 460*]

460 Acta Apostolicae Sedis - An official commentary on the implementation of the mandate, and on all matters pertaining to the status of the Church, the morals and discipline of the clergy and people, and the salvation of the souls entrusted to it. Art. 9. Any controversies that may arise between a Bishop of the Greek-Ruthenian rite and Bishops of the Latin rite in the United States shall be referred for decision only to the Apostolic Delegate in Washington, with the reservation, also in the decision, of the right of appeal to the Apostolic See. CHAPTER II. Concerning the Greek-Ruthenian Clergy. Art. 10. Greek-Ruthenian priests, designated for regions in the United States of America, shall be educated in their own Greek-Ruthenian-American seminary, or also in other colleges, either in America or outside of America, according to the needs of the Greek-

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Ruthenian Church and the judgment of the Greek-Ruthenian Bishop. In order that the Greek-Ruthenian Church in the United States may grow and expand commendably, and fulfill its providential mission among the Greek-Ruthenians, it is necessary for it to have priests who are virtuous in life, endowed with zeal and piety, sufficiently educated, not greedy for gain, and detached from political factions. It will be a grave duty of the Greek-Ruthenian Bishops to educate such missionaries as soon as possible and to support them in America, and to send them out for missions among the people. For the support of the seminary and the education of missionaries, both the pastors of churches and the Greek-Ruthenian churches themselves in the United States of America shall contribute. Art. 11. Before a sufficient number of Greek-Ruthenian priests who have been educated in the United States is available, if a Greek-Ruthenian mission, either existing or newly established, requires a pastor, the Greek-Ruthenian Bishop shall request a suitable priest from the Bishops of Galicia or Hungary through the Sacred Congregation for the Propagation of the Faith, for affairs of the Oriental Rite. However, any priest who goes there of his own accord, neither called by the Greek-Ruthenian Bishop nor sent by the Sacred Congregation, the Greek-Ruthenian Bishop shall not be able to grant any faculties, whether for celebrating the Sacred Liturgy, administering the Sacraments, or performing any ecclesiastical duties whatsoever. Art. 12. No priest who is seeking wealth, or who is wavering in faith and morals, or who is given to drunkenness, shall in any way be sent to or admitted into America; and if such are found, they shall be dismissed as soon as possible.

[*Latin ed. p. 461*]

Sacred Congregation of the Propagation of the Faith, Title IV, Article 13. Every priest, originating from Europe and residing in the United States of America, for the spiritual care of the faithful of the Greek-Ruthenian rite, shall always remain incardinated to the diocese of his origin; however, the Bishop of his origin shall exercise no jurisdiction over him, but the aforementioned priest shall depend solely on the jurisdiction of the Bishop of the Greek-Ruthenian rite. The aforementioned priests may not return to their homeland or be recalled without the express written permission of the Ordinary of the Greek-Ruthenian rite of the United States. The Bishops of origin must respond before the Sacred Congregation of the Propagation of the Faith if they admit such priests without written authorization from the Ordinary of the Greek-Ruthenian rite of the United States. Article 14. All rectors of Greek-Ruthenian missions in the United States are removable at the will of the Ordinary of the Greek-Ruthenian rite. However, they cannot be removed without grave and just causes. Article 15. Nevertheless, a priest who has been removed shall have the right to appeal, in a devolutive manner, against the decree of removal to the tribunal of the Apostolic Delegate,

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who shall examine the case and render a decision within three months from the date of the appeal, always preserving the right of recourse to the Holy See, also in a devolutive manner. Article 16. The Bishop shall provide for the support of the priest, assigning him a salary to be taken in proportion from the total revenue of the Church. Article 17. The rights and emoluments of the sacred ministry in each mission shall be determined by the Ordinary of the Greek-Ruthenian rite according to the established customs of the respective places. Article 18. The Bishop of the Greek-Ruthenian rite shall exercise his jurisdiction only over the clergy and the people of the Greek-Ruthenian rite; however, if there are faithful of the Greek-Ruthenian rite in any place, and there is not yet a Ruthenian mission established there, or if there is no priest of that rite present, then he may exercise his jurisdiction over the Greek-Ruthenian faithful in communication with the Latin priest of the place, after informing the Ordinary. CHAPTER III. Concerning the Greek-Ruthenian Faithful. Article 19. The Greek-Ruthenian faithful are obliged to attend and generously support their own churches, and to observe the prescriptions of their rite; however, in regions where there are no churches and priests of their own rite, and where, due to distance, they cannot attend their own church except with great difficulty, they may attend the church of the Latin rite.

[*Latin ed. p. 462*]

462 Acta Apostolicae Sedis - Commentarium Officiale: It is necessary to avoid grave inconveniences; therefore, it is required that they attend Mass in the church of another rite, and also receive the Sacraments from a priest of another rite.

Art. 20. The frequentation, even continuous, of churches of the Latin rite by the Greco-Ruthenians does not induce a change of rite. However, a transition from the Greco-Ruthenian rite to the Latin rite for those residing in the United States of America, whether temporary or permanent, cannot be granted except by the Holy Congregation for the Propagation of the Faith concerning Eastern rites, for grave and just reasons, known to the Holy Congregation itself, after hearing the Greco-Ruthenian Bishop.

Art. 21. It is not permitted to priests of the Latin rite, under penalties decreed and determined by the Apostolic See, to induce any Greco-Ruthenian to embrace the Latin rite.

Art. 22. Latin rite faithful, even if a priest of the Latin rite is present, may confess their sins to a Greco-Ruthenian priest approved by their Ordinary, and may validly and licitly obtain the benefit of sacramental absolution. Likewise, Greco-Ruthenian faithful may confess their sins to a Latin priest approved by their Bishop. However, Latin priests shall not be able to absolve Greco-Ruthenian faithful from censures and reserved cases established by the Greco-Ruthenian Ordinary, without the permission of the same. Conversely, the same shall apply to Greco-Ruthenian priests con-

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cerning censures and reservations established by Latin rite Ordinaries.

Art. 23. To all faithful of whatever rite, the faculty is given to receive, for the sake of piety, the Sacrament of the Eucharist, whether it be consecrated according to any rite; and furthermore, where necessity arises, and no priest of a different rite is present, it will be permissible for a Greco-Ruthenian priest to administer the Eucharist consecrated in leavened bread; and conversely, for a Latin priest to administer in unleavened bread; but each shall observe his own rite in administering.

Art. 24. Each faithful shall fulfill the precept of Paschal Communion by receiving it according to his own rite, and indeed from his own parish priest.

Art. 25. The Holy Eucharist for the dying should be received according to the proper rite from the hands of one's own parish priest; but, in urgent necessity, it is permissible to receive it from any priest; who, however, shall administer according to his own rite.

Art. 26. The celebration of funerals and the collection of offerings in families of mixed rites pertain to the parish priest of the rite to which the deceased belonged.

Art. 27. To avoid grave inconveniences that might arise for the Greco-Ruthenians, it will be permissible for them, with the permission of their own Ordinary, to observe their own feasts and their own fasts according to the custom of the places in which they live.

[*Latin ed. p. 463*]

The Holy Congregation of Propaganda Fide, 463. Nevertheless, this observation does not entirely induce a change of rite, nor does it remove the obligation of fulfilling the ecclesiastical precept regarding the hearing of Mass at this time in churches of one's own rite, if such exist in the place.

CHAPTER I, V. Concerning Marriages between the faithful of mixed rites.

Article 28. Marriages between Greek-Ruthenian Catholics and Latins are not prohibited; but in order to avoid inconveniences that often arise in families from the diversity of rites, the wife, during the marriage, may follow the rite of the husband, without thereby inducing a change of rite in her children.

Article 29. After the marriage is dissolved, the woman may resume her own rite of origin.

Article 30. Marriages, both between Greek-Ruthenian faithful and between faithful of mixed rites, must be contracted according to the form of the decree *Ne temere*, and therefore, in the rite of the woman, they must be blessed by the parish priest of the woman.

Article 31. Dispensations for marriage in marriages of mixed rites, if any are to be granted or requested, shall be granted and requested from the

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bishop of the bride.

Article 32. Children born in the region of the United States of America from parents of different rites are to be baptized in the rite of the father: for the offspring of both sexes must entirely follow the rite of the father.

Article 33. Baptism received in a foreign rite due to a grave necessity, namely, when the child was near death or was born in a place in which, at the time of birth, the proper parish priest of the father was not present, does not induce a change of rite; and the priest who baptized must send a certificate of baptism to the proper parish priest.

Article 34. Children belong to the jurisdiction of that parish priest whose rite is that of their father, except for those born of an illegitimate union, who follow the rite of the mother.

These matters, Our Most Holy Lord Pope Pius, in his divine providence, having heard, on the 12th of August, of the present year, approved and confirmed them, and ordered the present decree to be issued, to be valid for ten years. Contrary provisions notwithstanding.

Given in Rome, from the offices of this Holy Congregation, on the 17th of August in the year 1914.

Fr. HIERONYMUS M. CARD. GOTTI, Prefect.

L. f& S. Hieronymus Rolleri, Secretary.

[*Latin ed. p. 464*]

464 Acta Apostolicae Sedis - Official Commentary

SACRED ROMAN ROTA, NULLIUS SUBLACI.

Under the blessed reign of Pope Pius X, in the eleventh year of His Pontificate, on the 29th of May, 1914, the Most Reverend Fathers, William Sebastiani, Dean, Seraphinus Many, and Francis Heiner, Auditors, in the case of Nullius Sublaci, delivered the following final judgment, between the Reverend Paul Di Cecco, plaintiff, represented by the lawful procurator, Attorney Nazareno Patrizi, and the Chapter of the cathedral church of Saint Andrew the Apostle, represented by the lawful procurators, Charles and Julius Patriarca, Attorneys.

By virtue of the law for the suppression of ecclesiastical property of August 15, 1867, Article 1, extended to the Roman province on June 19, 1873, the secular Chapter of Saint Andrew in the city of Subiaco, and the regular Chapter of the Benedictines of Saint Scholastica, located near the same city, being collegiate bodies, were suppressed by the government, and their goods were confiscated.

However, the Chapter of Saint Andrew and the administrators of the city of Subiaco protested against the suppression. On June 30, 1875, the civil authority recognized the abbatial church of Saint Scholastica as a cathedral.

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On the other hand, the Supreme Pontiff, Pope Pius IX, in Apostolic Letters issued in the form of a Brief, beginning with the words "Interest," dated January 28, 1876, granted the honor and rights of a cathedral to the church of Saint Andrew, with these words: "We define and declare that the church of Saint Andrew in the city of Subiaco has been, and is, a cathedral church, or a cathedral seat of the cardinal abbot commendatory of the diocese of Subiaco, and, as far as it is necessary, We establish it as a cathedral, and We command that it be held as such by all."

Immediately after the publication of this Brief, the monks began to complain that not everything had been disclosed to the Pope, and that the apostolic document was subject to error and deceit. Therefore, Leo XIII, through the Sacred Congregation of the Council, on April 26, 1892, declared in the aforementioned documents that no error had occurred, and simultaneously reaffirmed the right of the church of Saint Andrew to be a cathedral.

With the validity of the Pius constitution thus secured,

[*Latin ed. p. 465*]

The Roman Rota, number 465, Cardinal Macchi, administrator of the Nullius-Subiaco Abbey, on May 22, 1893, brought the case before the ecclesiastical tribunal, so that the church of St. Andrew might be recognized as the cathedral of Nullius-Subiaco, and that the revenues, which had been taken away in 1873, might be restored. However, with an unfortunate outcome for the eminent plaintiff, the case was concluded. The judges recognized the Benedictine Chapter as the cathedral Chapter of Nullius-Subiaco, and therefore the goods confiscated from it in that same year of 1873 were to be restored. Against this judgment, the canons of St. Andrew, being certain that they had not been represented in the judgment already concluded by the commendatory Abbot, summoned both the government and the monks of St. Scholastica: "They declared that the qualification of cathedral belonging to the Abbey of Subiaco belongs to the church and the Chapter of St. Andrew the Apostle, of Subiaco, and that, consequently, said Chapter was not affected by suppression by the laws of August 15, 1867 (article 1), extended to the province of Rome on June 19, 1873. - They issued orders that all temporalities be assigned to said Chapter of St. Andrew, with all revenues collected up to the present day, and with the condemnation of the opposing parties to the expenses and fees of the case, saving all other rights and reasons, etc." However, the case, scarcely introduced, was concluded when the Supreme Pontiff Leo XIII desired that the dispute between the two Chapters be ended by amicable agreement. His Eminence, Cardinal Seraphinus Vannutelli, then Prefect of the Sacred Congregation of Bishops and Regular Canons, elected as arbitrator by both Chapters, issued a document on November 28, 1897, signed by the disputing parties, in which, among other things, it was ordered "that the Chapter of St. Scholastica

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shall annually pay to the Chapter of St. Andrew the net sum of 4000 lire, provided that it receives an allowance of 16,000 lire from the government; 4250 lire if the government allowance reaches the sum of 20,000 lire; 4500 lire if the government allowance reaches 30,000 lire... In compensation for the arrears in the disagreement of the parties, His Eminence, making use of his arbitral powers, established the sum of 8000 lire to be paid by the Chapter of St. Scholastica to the Chapter of St. Andrew, and to this judgment the parties agreed." The Chapter of St. Scholastica received the sum of 16,000 lire from the government, and from that same Chapter, the canons of St. Andrew were paid the sum of 4000 lire, which is still being paid. In this way, an end was put to a very vexing issue between the monks of St. Scholastica and the Chapter of St. Andrew. But this is not the end of controversies. It must be known that, after the Chapter, which had been suppressed by the government, had been diminished in number in the church of St. Andrew, and thus fewer canons were available to attend to the divine offices and sacred functions, Cardinal Angelo Bianchi,

[*Latin ed. p. 466*]

466 Acta Apostolicae Sedis - Commentarium Officiale. The Subiaco abbot commendatory, delegated, on October 25, 1888, with the consent of all the capitulars, erected a new canonry there, under the name and title of the Most Holy Angels, heavenly patrons. However, when the canons of St. Andrew wished to exclude this canonry from participation in the aforementioned sum, the Reverend Paul Di Cecco, who held this canonry for two years, i.e., from the year 1904 to the year 1906, appealed to the Holy Office, by special concession of the Supreme Pontiff, and the cause is presented today under the doubt posed by the parties: Whether the Reverend Paul Di Cecco, by reason of his benefice of the Most Holy Angels in the Subiaco cathedral church, has the right to participate in the revenue established by the convention initiated on November 28, 1897. To resolve the question, it seemed necessary to the Fathers to examine the Bull of erection of the canonry of the Most Holy Angels. In this Bull, it is stipulated that the new canonry, with regard to its endowment, or provision, must be entirely distinct from other canonries, so that no prejudice is caused to them, and the new canon cannot in any way interfere with the other provisions, nor with their administration. These words are expressly written in the Bull: "While leaving intact all that is now, the provisions of the canons, to which we intend to cause no prejudice whatsoever, nor to those canons who actually possess these provisions, in which provisions of the first or second erection, he who in the future will be the possessor of the canonry thus instituted by Us, must in no way, by any means, or pretext, interfere." Regarding the fund, or mansion, and endowment of the canonry thus erected by Us, We wish and decree, and We order, that it be and ought to be a public title, or name, in the sum of eight thousand livres... for a fixed time, freely and

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privately, as far as other canons are concerned, to be received by him who will be the possessor of the same canonry. Therefore, having examined the Bull of erection, the provision of the new canonry, which is specifically and accurately designated and determined, must remain entirely distinct from the other provisions, and the new canon cannot interfere with these provisions, nor with their administration, nor can he cause any prejudice to them. Furthermore, if the petition of the priest Di Cecco were admitted, and he were granted a share in the aforementioned sum of 4000 livres by reason of his canonry, the canon of the Most Holy Angels would interfere with the other provisions, contrary to the mind of the Bull of erection, and would cause prejudice to them. Perceiving the force of this argument, the patron of the Reverend Di Cecco writes in his response No. 3: "By these provisions, which the author of the Bull wishes to remain intact, are not to be understood the old provisions of the canons, but only a portion..."

[*Latin ed. p. 467*]

The Roman Rota, number 467, states: "Those things which the canons of Saint Andrew's received from the revenues granted by the government 'for the quota assigned to the archpriest and primicerius of the Chapter, which revenues, according to the norm of the decree of the Holy Congregation of Councils for Settling Disputes, must be divided among all the canons.'" However, this interpretation cannot be accepted, for the following reasons: 1) These portions cannot in any way be called endowments: for an endowment is that sum which is assigned to each canonry or benefice, at the time of its erection, as corresponding to the office imposed upon the holder of the benefice; whereas these portions are nothing other than parts of certain revenues, which the government, as parson, leaves to one or another canon, and which the Holy Congregation of Councils ordered to be divided among all the canons, in order to maintain, as far as possible, a certain equality. 2) The bull of erection does not speak simply of endowments, but of endowments, whether of the first or of the second erection; and these words, "whether of the first or of the second erection," manifestly indicate that the author of the bull had in mind the old endowments, which were truly either of the first or of the second erection, and not these aforementioned portions, to which those words would be ridiculous to apply. It does not matter that, in the year 1888, when the canonry of Saint Angels was erected, those old endowments no longer existed, since they had been confiscated by the government. Indeed, because they had been unjustly confiscated, the Chapter retained legal ownership of them; and moreover, after the Brief of Pius IX, there was great hope that they would be recovered, which occurred through a transaction of November 28, 1897, concerning which we must now speak. The purpose of the lawsuit brought by the Chapter of Saint Andrew's in 1897 against the Regular Benedictine Chapter and the government was that the Chapter of Saint Andrew's should be

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recognized as the cathedral chapter of Nullius-Subiaco, and that, accordingly, the goods confiscated from it in 1873 should be restored to it, in accordance with the laws of the civil code. This is clearly evident from the citation of May 6, 1897. If, then, at the request of Leo XIII, the Chapter of Saint Andrew's renounced the lawsuit, and the controversy was amicably settled through a transaction, the transaction took the place of the lawsuit and acts in its stead; that is to say, just as in the judicial action the canons of Saint Andrew's fought for the recognition of their cathedral status and the restitution of their goods, so it must be said that they had the same intention in the transaction entered into with the Benedictines. This was made quite clear by the canons in the chapter meeting of November 24, 1897, in which they stated that they accepted the proposed transaction on the following conditions: "1) That in the ecclesiastical forum, the rights of the cathedral chapter of Saint Andrew's, and of the church of Saint Andrew's, rights recognized and sanctioned by the Brief *Interest* of Pius IX, January 28, 1876, remain intact and uninjured; 2) That, in the event of a victory, the Reverend Monks of Saint Scholastica give to the Chapter of Saint Andrew's an annual payment not less than the amount of..."

[*Latin ed. p. 468*]

468 Acta Apostolicae Sedis - Official Commentary: "The Chapter itself would have received from the Government, should it have emerged 'victorious in the dispute.' The monks of Saint Benedict, in order to comply with the petition of the canons of Saint Andrew, in article 1 of the agreement, obligate themselves to pay annually to the Chapter of Saint Andrew the sum of 4000 florins. This sum, therefore, represents the goods of the Chapter of Saint Andrew confiscated by the government in the year 1873. Since the agreed-upon sum represents the goods confiscated in the aforementioned year 1873, the canons of Ss. Angelorum have absolutely no right to it: for the prebend of Ss. Angelorum was not subject to the treasury in the year 1873, nor could it be confiscated, since it did not exist. Therefore, the Fathers judged it not to be reprehensible that the canons of Saint Andrew, deliberating in the chapter meeting of July 1, 1903, regarding the distribution of said sum, wished to exclude the canon of Ss. Angelorum from any participation in this sum. For the canons knew well that the Chapter of Saint Andrew, at the time when it was suppressed, consisted of eight canons of the first establishment, three canons of the second establishment, and four mansionaries, and they decided: "Collect 720 florins as 'compensation to the four mansionaries, 180 florins each, as much as they received before the suppression, and divide the remaining 3280 florins in equal proportion among the eight canons of the first establishment, the two added, Martin and Giordani, and one to be named." These three last canons replaced three canons of the second establishment who had already died. This distribution was considered so reasonable and so in conformity with the purpose of the agreement

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and the intentions of the negotiators, that even Angelus Pelliccia, who at that time was a canon of Ss. Angelorum, affixed his signature to the chapter deliberation, and that the Most Reverend Cardinal Macchi, commendatory abbot of Subiaco, approved it on August 15 of the same year. Several things are alleged against this by the patron of the plaintiff, Di Cecco, which the Lords Fathers did not consider it necessary to pass over in silence. 1. He objects from the words of the aforementioned chapter deliberation of July 1, 1903: "Wishing to bring the number of canons to at least twelve, because not less than twelve, in the event of a victory, would be reconstituted by the Government, considering that the monks have not given what was asked of them, it is established that the twelfth canonry be that founded 'under the title of the Guardian Angels, whose income is more than three hundred florins.'" Then, under number 2, it is decreed: "That in the vacancy of 'one of the aforementioned canonries, the remaining ones will bear the burden of the expenses of worship, the sung masses for the benefactors, and the masses..."

[*Latin ed. p. 469*]

S. Romana Rota 469 « finally, etc., the income should be divided equally among them, taking into account the entire common fund ». Therefore, if the canonry of Angelorum is equated with other canonries forming the Cathedral Chapter, and a common fund is established with them, it follows that the sum of 4000 livres, representing the same common fund, must be divided among the twelve canons. However, it is not certain in the case of the Chapter's victory that the government intended to establish a twelfth canonry. For Mr. Tami, the general director of the Office of the Cult Fund, already in a letter of June 6, 1877, declared that the government would restore to the Chapter only what it had taken away from it, namely, "goods which were given to them in possession and which are those of the two 'TeT' funds." Then, with the admission by the government of the establishment of a new canonry, it was entirely asserted by the patron, Di Cecco, that the canon of Angelorum had been recognized by the government as the twelfth, and that a corresponding share of the income would be paid to him. For the canon of Angelorum, as regards the government, which does not exist, remained autonomous and distinct from the others in providing for his needs, just as he is autonomous and distinct at present. However, the words used by the capitulars, "constituting the entire common fund," cannot certainly refer to the stipends, as if they constituted a single fund: for this would be contrary to the bull of erection of the canonry of Angelorum, in which the stipend of the new canonry is clearly separated from the other stipends, but they must be understood in this sense: namely, that when one of the twelve canonries is vacant, the income of the vacant canonry must be equally divided among the eleven other canons, as compensation for the expenses and burdens which they then assume, such as the celebration

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of Masses for benefactors, final Masses, etc. Therefore, this income of the vacant canonry, for the time of the vacancy, is like an extraordinary emolument or an extraordinary distribution, which is given to the other canons, who in this matter constitute the common fund.

2. Secondly, the patron, Di Cecco, the Reverend Pelliccia, canon of Angelorum, was convened to the capitular meetings on November 24, 1897; in the meetings, he deliberated with the other capitulars about the dispute against the government and the Benedictine monks; he notified the citations with his own name, together with the other capitulars; he gave the mandate for the curators of the Chapter, as did the others: but this is an open sign and argument that the canon of Angelorum was in the same position as the other capitulars, with regard to all matters concerning the dispute and its outcome. However, it must be remembered, as we have said above, that the end of the dispute and the transaction, which put an end to the dispute, had a double purpose: namely, to recognize...

[*Latin ed. p. 470*]

470 Acta Apostolicae Sedis - Commentarium Officiale concerning, namely, the cathedral status of St. Andrew's, and the recovery of goods which had been confiscated by the government in the year 1873. Indeed, the canon of Ss. Angelorum, the Reverend Pelliccia, as a true and proper canon of St. Andrew's, was obligated, by virtue of the very Bull of erection, to cooperate with others in defending the cathedral status of that church. The recovery of the capitular mass was a consequence of the recognition of the cathedral status; therefore, it is not surprising that, when engaged in the struggle to defend the cathedral status, he necessarily sought the recovery of the capitular mass. 3. Furthermore, the patron states that Canon Pelliccia had a share in both the sums paid by the Benedictine monks for past years (arrears), and in the annual sum of L. 4000, which was to be paid by them by virtue of an agreement on November 28, 1897, and therefore, his successor, the Reverend Di Cecco, could not be deprived of those emoluments which had been granted to his predecessor. It is true that Canon Pelliccia was admitted to a share of the sum paid for past years, and this is also stated by the Patrons of the Chapter, who explain the matter as follows: "He (Canon Pelliccia), was indeed admitted to a portion of the 'arrears,' but such an act of generosity, of gratitude, with which the canons of the first and second mass wished to reward the Reverend Pelliccia for the work he had performed in common with others, for the defense of the Chapter's cathedral status, for what reason should it create legitimate expectations among his successors?" However, concerning the annual sum of L. 4000, it must be denied that Canon Pelliccia was admitted to a share of this sum. If, in a declaration of January 13, 1904, it is stated that he was admitted to a share of L. 4000, in a subsequent declaration of May 1914, he explains what he had said in the former declaration, fully referring himself

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to what he had decided and signed in the aforementioned general chapter of July 1, 1903. But in that general chapter, by all, including Canon Pelliccia, it was decided that the aforementioned annual sum of L. 4000 should be divided among the eleven canons, so that each would receive L. 398.18, and the twelfth canon, namely, the canon of Ss. Angelorum, should be content with his benefice, the revenues of which exceed L. 300. It is therefore not surprising that, for the year 1904, Canon Pelliccia received a portion of the aforementioned sum of L. 4000, since on December 26, 1903, having been dismissed from the canonry of Ss. Angelorum, he renounced the canonry of the first erection. 4. Finally, the patron writes in his response, number 10 and following: If the twelfth canon is to be excluded from participation in the annual sum of L. 4000, then the canon of Ss. Angelorum should not be excluded, but the canon-

[*Latin ed. p. 471*]

The Roman Rota, number 471, concerning Lattanzi: For this is properly the twelfth, as it is clear from the Bull of erection, in which it is written: "Since eleven canonical prebends now exist, we decree to add a twelfth," etc. But in this matter, there is an ambiguity. The canonical prebend enjoyed by the Reverend Lattanzi is indeed the last, or twelfth, in terms of erection, because it was established after the other eleven; however, in terms of the endowment, the twelfth canonical prebend is that of the Saints of Angelorum, as has been expressly decided in the general chapter of July 1, 1903. The reason is that its endowment is entirely distinct and separate from the eleven other endowments, which constitute a common fund and which existed long before the endowment of the Saints of Angelorum. After having duly considered and examined all of these matters, We, the undersigned Auditors, sitting for the tribunal and having only God before our eyes, invoking the name of Christ, declare and definitively pronounce the judgment that the Reverend Paul Di Cecco, by reason of his benefice of the Saints of Angelorum in the cathedral church of Subiaco, does not have the right to participate in the revenue established by the agreement initiated on November 28, 1897; namely, in response to the question posed, we answer: Negatively. Furthermore, we declare that the judicial expenses have been compensated between the parties. Thus we pronounce, ordering the Ordinaries of the places and the officials of the tribunals to whom this pertains, to enforce this our definitive judgment, and against those who resist, to proceed according to the norms of the sacred canons, and especially chapter 3, session 25, concerning reform, of the Council of Tridentini, applying the executive and coercive means that they shall judge to be more effective and appropriate for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on May 29, 1914. L. £B S. G. Sebastianeiii, Dean. S. Many. F. Heiner. From the Chancery of the Holy Roman Rota, June

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10, 1914. Sac. T. Tani, Notary.

[*Latin ed. p. 472*]

472 Acta Apostolicae Sedis - Official Commentary

SECRET LETTER FROM THE SECRETARY OF STATE TO THE REVEREND FATHER AEMILIUS PEILLAUBE, DIRECTOR OF THE SEMINARY OF SAINT THOMAS AQUINAS, IN PARIS, CONCERNING THE COPY OF THE CONSTITUTION OF SAID SEMINARY, RESPECTFULLY PRESENTED TO THE MOST BLESSED FATHER.

Monsieur l'Abbé,

As soon as the Regulations of the Seminary of Saint Thomas Aquinas were presented to me by Mgr Pacelli, I hastened to place them in the august hands of the Holy Father.

I am pleased, today, to announce to you that the Sovereign Pontiff received with great pleasure such a tribute, which, by a fortunate coincidence, reached him immediately after the publication of the Motuproprio Doctoris Angelici. Therefore, His Holiness experienced profound satisfaction in observing how fervent is the devotion, within the Faculty of Philosophy of the Catholic Institute of Paris, which recently admitted among its members the learned opponent of Bergsonian philosophy, Mr. Maritain, and within the Seminary so admirably directed by you, the veneration for the Angel of the School, whose incomparable doctrine the Sovereign Pontiff has once again glorified.

And since piety and the practice of virtue powerfully aid human intelligence in the acquisition of true knowledge, the golden saying of the same Doctor, in the Summa Theologica (2 2, 9, XV-a, 3, in corp.): "Virtutes... most dispose man for the perfection of intellectual operation," is perfectly suited to our subject; His Holiness has also been pleased to see with what solicitude and care the Regulations offer, and even prescribe to the students, the most appropriate means to increase in them the spirit of prayer, and to advance in the ways of perfection.

With the expression of my personal thanks for the copy of the same Regulations which you were kind enough to send to me, and with the most fervent wishes for the prosperity of this Institute, from which the Holy Church promises, in France, such great good and so abundant fruits, I offer you, Monsieur l'Abbé, the assurance of my devoted sentiments in Our Lord.

Rome, July 16, 1914.

R. CARD. MERRY DEL VAL.

[*Latin ed. p. 473*]

Year VI. - Volume VI. September 17, 1914. No. 15

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ACTA APOSTOLICAE SEDIS

OFFICIAL COMMENTARY

CONCLAVE

COADJURATION, ELECTION, AND CROWNING OF THE SUPREME PONTIFF BENEDICT XV

PREPARATION FOR THE CONCLAVE

In accordance with the Constitution *Piae*, when the Apostolic See is vacant, the Most Reverend and Most Illustrious Cardinals, having quickly determined and arranged all that was necessary for the commencement of the Conclave, according to the duties of their office, gave specific instructions, one concerning the garments to be worn by the Most Reverend Cardinals and their retinue during the Conclave, and the other concerning the safeguarding of the Conclave doors.

I. DISPOSITIONS REGARDING THE CLOTHING TO BE WORN BY THE MOST ILLUSTRIOUS CARDINALS AND THEIR COURTS DURING THE CONCLAVE.

The Most Illustrious Cardinals, during the Mass of the Holy Spirit, which they will attend on the days of the Conclave, and during the Scrutinies, will wear a violet wool cassock and mozzetta (a semi-circular ecclesiastical vestment), with a silk sash, and similar trimmings without gold. They will also wear a violet silk mantle, with a gray tassel, which they will wear during the second adoration of the elected Pontiff.

Those participating in the Conclave will always wear a black cassock and biretta (a square ecclesiastical cap), and will carry with them an alb for assisting at the private Mass of their Most Reverend Cardinal.

The servants will wear a frock coat, long black trousers, and a white cravat.

ACTA, vol. VI, no. 15. - September 17, 1914. 34.

[*Latin ed. p. 474*]

474 Acta Apostolicae Sedis - Official Commentary. The Most Eminent Lords Cardinals are informed that on the morning of the Conclave, at 7 o'clock, the Mass "De Spiritu Sancto" will be celebrated by the Most Reverend Cardinal Dean, during which the other Cardinals will approach the Holy Communion. By order of the Sacred College, August 25, 1914. Francis Riggi, Apostolic Protonotary, Prefect of the Pontifical Ceremonies.

II. REGULATIONS FOR THE GUARDING OF THE CONCLAVE GATES. The Illustrious and Reverend Monsignors Deans of the Colleges

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of Archbishops and Bishops Assistants, Apostolic Protonotaries, Auditors of the Rota, Clerks of the Camera, Voters of the Signature, will kindly inform their Colleges that on the coming Monday, August 31, 1914, at 5 o'clock in the afternoon, they will assemble in the Royal Hall of the Vatican Apostolic Palace, to take the customary oath regarding the guarding of the Conclave Gates. The Gates, which are located at the head of the staircase of Pius IX, near the entrance to the Courtyard of St. Damasus, will be guarded as follows: Gate I will be guarded by the Monsignors Clerks of the Camera; Gate 2 by the Monsignors Protonotaries; Gate 3 by the Archbishops, Bishops, and Auditors of the Rota; and Gate 4 by the Voters of the Signature. The aforementioned Gates will remain open from 9 o'clock to 11:30 in the morning, and from 5 o'clock to 7 o'clock in the afternoon. The attire to be worn is a black skirt with a black wool sash and bows, a plain black cap without lace, and a black cloak. The Deans of the respective Colleges will designate the schedule to be observed for the guarding of the aforementioned Gates. August 26, 1914. Francis Riggi, Apostolic Protonotary, Prefect of the Pontifical Ceremonies.

COMMISSIONS OF THE CARDINAL FATHERS CONCERNED WITH CONCLAVE MATTERS.

1) For preparing for the Conclave: The Most Reverend and Reverend Lords Cardinals: Francis, Salesius Della Volpe, Octavius Cagiano de Azevedo, Caietan Bisleti.

[*Latin ed. p. 475*]

The preparation of the Conclave: 475. 2) For the Cardinals to be approved: The Most Eminent and Reverend Lords Cardinals: Diomedes Falconio, Basilius Pompilj, Scipio Tecchi. 3) For the closing and custody of the Conclave: The Most Eminent and Reverend Lords Cardinals: The Camerlengo of the Holy Roman Church, the Cardinals Heads of the Orders, and the Prefect of Ceremonies, acting in his place. OFFICIALS OF THE CONCLAVE of the Sacred College: The Secretary: The Most Illustrious and Reverend Monsignor Thomas Pius Boggiani, titular Archbishop of Edessa. The Governor: The Most Excellent and Reverend Monsignor Aloysius Misciattelli, Sub-Prefect of the Pontifical Household. The Marshal of the Conclave and his Assistants: The Most Excellent Monsignor Ludovicus Chigi, Prince, perpetual Marshal of the Father of the Church, holding the place by special mandate of the Sacred College of Cardinals; Joseph Alessandri, Henry Manui, Caietanus Senni, Count; Philip Faustus Marucchi; Francis Bersani; Vincent Giglini, from the Secretariat. The Prefect of the Apostolic Sacristy: The Most Illustrious and Reverend Monsignor Augustine Zampini, Bishop of Porphyria. The Sub-Sacristan: The Reverend Father Augustine Piiferi, of the Order of the

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Hermits of Saint Augustine. The Confessor: The Reverend Father Benedict Oietti, S.J.

[*Latin ed. p. 476*]

476 Acta Apostolicae Sedis - Official Commentary on Ceremonies, by Masters: Reverend Monsignor Nicholas D'Amico, exercising the office entrusted to him by special mandate of the Sacred College; Joseph Tani; John Baptist Menghini; Aloysius Carinci; Charles Respighi; Aloysius Capotosti. Architect: Frederick Mannucci. Commissioner of the Conclave: Philip Pacelli. Physicians: Caesar Goretti; Aloysius Cagiati. Surgeon: Andrew Amici. Procurator: Francis Xavier Seganti. Prefect of the Refectory: John Loreti. Cellarer and Procurator: James Marzi. Pharmacist: Reverend Father Narcissus, of the Order of the Brothers of St. John of God.

MISSION REGARDING THE HOLY SPIRIT:

For the Mass of the Holy Spirit, to be celebrated before the entrance into the Conclave, and at the very entrance itself, the following NOTICE WAS ISSUED TO BE DELIVERED BY MESSENGERS, A COPY BEING LEFT AT EACH HOME, on the second day of the week, August 31, 1914, at half-past nine o'clock, in the Pauline Chapel of the Vatican Apostolic Palace, a solemn Mass of the Holy Spirit will be celebrated by the Most Reverend and Right Reverend Monsignor Dominic Ferrata. The Most Reverend and Right Reverend Cardinals, wearing woolen garments and violet silk robes, will attend. After the Mass, a prayer for the election of the Supreme Pontiff will be held. On the same day, at five o'clock in the afternoon, the Most Reverend and Right Reverend Cardinals, wearing violet woolen garments and mozzettas with a silk sash of the same color, will assemble in the aforementioned chapel. Then, preceded by the Cross, with the Chanters singing the hymn "Veni Creator," and with the beginning of the supplication by the elders, they will enter the Conclave, and the rest will be carried out there according to custom. The Most Eminent Fathers will use the aforementioned garments during the scrutiny. By order of the Most Reverend and Right Reverend Cardinal Deacon, Francis Riggi, Apostolic Protonotary, Prefect of Ceremonies.

[*Latin ed. p. 477*]

Oratio concerning the election of the Supreme Pontiff 477 All of these things were most certainly completed on August 31st. And now, the ORATIO DE ELIGENDO SUMMO PONTIFICE, which was delivered by the Most Illustrious and Reverend Lord Aurelius Galli, Secretary for Affairs concerning Letters to Princes, is presented to you today, most eminent Fathers. Although I am commanded, as I am, by you yourselves, I would not presume to address you, were I to consider only my own inadequacy, both in person and in intellect. For who am I, that I should dare to offer

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any counsel to your most distinguished College, in which now resides the principal authority of the Holy Church? Or what could I add to your deliberations, which you yourselves do not already see much better? Surely, your efforts to consult for the benefit of the Church do not require exhortation, especially at this time of such great turmoil in the world, when it is certainly most fitting to uphold the common good of the Catholic name. However, since you have chosen to maintain the ancient custom, and have entrusted this task to me, I shall obey your will, confident in your kindness, but relying most of all on the goodness of God, who, as a certain eloquent speaker has said in similar circumstances, often inspires even the simple and inexperienced with words that may benefit even the wise. Therefore, I shall speak, as one among many, and as a representative of the common sentiments, of what the Christian people seem to expect from you; and I shall speak, as briefly as I can, for I do not believe that much human speech is appropriate for those who are moved by the Spirit of God. Of all the duties, most eminent Fathers, that are encompassed by the amplitude of your honor, this is by far the greatest, and almost divine, for which you have assembled. For in the ordinary performance of your duties, you certainly attain a high dignity, as those who, with the counsel and assistance of the Roman Pontiff, govern the entire Church; but now it is your task to decide who should be the governor of the Church. He will certainly receive such great power from God, but not otherwise, unless you designate him. Just as, by the divine power and voice of our Lord Jesus Christ, Simon, son of Jonas, was first established as Peter, that is, the foundation of the Church, so too, through your invocation of Christ, not Simon, but Peter nevertheless, is perpetually renewed. Therefore, it is clear that you hold in your hands a matter of incredible gravity and of the greatest importance, for which you will one day have to give a strict account to the Prince of Pastors; but it is also evident that you must carefully consider how the divine Author of the Church acted in His first Vicar.

[*Latin ed. p. 478*]

478 Acta Apostolicae Sedis - An Official Commentary. Indeed, when the Lord gave the name "Simon" and "Peter," and promised to give him the keys of the kingdom of heaven, did He not wish to reward his faith with a most distinguished recompense, since he had solemnly confessed that He was Christ, the Son of the living God? And when He entrusted to him the care of the sheep and the feeding of the lambs, and after eliciting from him a threefold declaration of love, did He not adorn Peter with His charity? Moreover, the Lord spoke in such a way that it should be clear that these two things were the reason why He chose him, setting aside the other Apostles, to be the head of His Church: the strength of faith and the fervor of charity. These virtues, indeed, ought always to be present and prominent in the Roman Pontiff, but especially today. You see, most

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eminent Fathers, in what turmoil of times, in what upheaval of events and disturbances, we live. It does not concern me to demonstrate to you the horrific and miserable face of almost all of Europe, where suddenly, not only has a terrible and most dangerous war broken out, but it has begun to spread, as never before in human memory. Although it should not be said that this happened so suddenly to prudent people; for the seeds of this evil were hidden within the states, like a fire laid in embers. Certainly, the August Father foresaw the impending storm, and we mourn his desire, when he addressed you in the sacred Consistory for the last time; who also, recalling those who had contributed all their efforts to prevent the calamities and massacres of wars, said, "Indeed, it is the best intention, but the plans are of little use, unless, at the same time, and indeed with great effort, the precepts of justice and Christian charity take root deeply in the hearts of men." And truly, what is the cause of this great upheaval of things, if not that the states have almost abandoned Christian wisdom, upon which this human society is founded? For, as things are now, both in public and private life, perhaps Christian institutions have never been in such a state of disrepair. And first, if you consider all matters of public life, you will scarcely find due reverence for religion; rather, you will find everything arranged to promote contempt for religion. For what has not been dared against the rights, the freedom, and the dignity of the Church? Sacred properties are seized, clerics are addicted to military service, religious families are dispersed: I pass over the six hundred wounds inflicted on the majesty of religion. It must be specifically deplored that, even from the very root, the offspring of the children of God are profaned: I say that the sanctity of Christian marriage has been violated, and the power of divorce has been greatly increased. Furthermore, you know that in the education of young people, there is a great silence about religion; and the curricula of more serious disciplines are open to all opinions.

[*Latin ed. p. 479*]

The prayer for the election of the Supreme Pontiff 479: [It is necessary] to correct the errors which the world has spread, so that it may not seem a mediocre example of constancy, if someone should preserve the ancestral Faith. For it is heard with such frequency today: that the piety of our ancestors is not of this age; that the knowledge of things, having reached the limits of doctrines already proclaimed, cannot be reconciled with the Faith; that everything is contained within the order of nature, and that there is nothing which surpasses nature. These things are celebrated, not without reason, in books and daily writings, in schools, in sermons. Moreover, it is most deplorable that, from the very sacred order, not a few, puffed up with the opinion of science, have fallen into such errors, by which all divinely revealed doctrine is rejected; and that they have become so stubborn that they would rather abandon the Mother Church than renounce such signs

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of error.

But when so much oblivion or contempt for the truth received from God has taken hold, it is necessary that the Christian way of life be uprooted. For if the voice and admonition of the Faith are silent, which commands a man to live with virtue in expectation of future things, what can restrain the course of desires in the discharge of duty? Hence, that infinite desire to possess, and often to seek things with no equitable distinction; hence, instead of modesty and reverence, pride and arrogance invade, so that no sacred name or title of authority remains. And what is most contrary to Christian institutions, this age is inflamed with the study of voluptuous pleasures, and an immense amount of this flame spreads daily, surrounded by all kinds of enticements of vice. We know how far the license of the stage, the audacity of frivolous writers, and the seductions of the arts have progressed. Finally, if anyone should look around, it is too evident that this society of the human race, as it allows itself to be led by the persistent efforts of evil sects, is gradually losing the form which Jesus Christ impressed upon it, unless God promptly helps it to return to the manners and institutions of the ancients.

And so, since the principles of Christian discipline have been forgotten by so many, it has come to pass that what was to be expected has occurred: that the reasons of men and of nations are changed, and that nothing but the reason of their own utility restrains them. Indeed, since self-love, where justice does not rule, easily passes the limit and invades that of others, if it can, perhaps men have never before engaged in such serious enmities with each other, instead of the human fraternity which they proclaim. We often see, with fear, orders hostile to orders of citizens, when the wealthy are not ceasing to incite the poor to strive for that equality of fortunes which the nature of civil society does not allow. This is the social cause that is full of terrors. But now, when we see great and powerful nations and peoples, after having had long conflicts, all tending towards mutual destruction...

[*Latin ed. p. 480*]

480 Acta Apostolicae Sedis - Regarding the events that cause instruments to clash with one another and the fields of Europe to be drenched in human blood, we are, indeed, horrified in spirit, and we ponder to what end this great conflagration will ultimately lead. Most eminent Fathers, it is necessary that you carefully consider the condition of these times before you proceed to designate the highest shepherd of the Church. Goncidet, where the merciful God has commanded, whose wrath has been aroused, falls, I say, this fury of conflict, quenched by the flames of war; and may a blessed peace, smiling once again upon mankind, arrive swiftly, so that, as if from the ruins of the old world, a new composition of states may emerge. However, even though God has healed the nations of the world, and even He must turn the very iron and fire of wars to healing them, yet

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even then, within the very depths of these states, those elements which we have witnessed will remain. It will be the duty and office of that Pontiff, whom you will elect, to prune or restrain these as much as possible.

Therefore, let the successor of Peter be constituted in such a way that he, following the example of the Prince of the Apostles, appears to surpass others in faith. For he could not lead men away from the love and solicitude of earthly things, if he himself did not have a heart turned towards heavenly things above all else. Therefore, let him not seek the heights of the Apostolic dignity through ambition, but let him take refuge in the awareness of his own humility, and although, not trusting in his own strength, he may reject the burden, let him nevertheless undertake it solely in obedience to the divine will. Let him be so prepared in spirit, as was that Gregory the Great, who, writing to the Patriarch of Constantinople, Gyrius, said: "I too, who am unworthy to come to the place of royal authority, conscious of my weakness, had sometimes 'resolved to seek more hidden places'; but seeing the signs from above opposing me, I 'submitted the neck of my heart' to the yoke of the Creator." In short, if you wish, which is not doubtful, to rightly consider the interests of the Christian name in these times, let your votes be united in that man who lives by faith. He, with a single purpose of God and the souls entrusted to him, when the integrity of the Catholic doctrine must be defended, and the weeds of error, whether in matters of faith or in the closely related sphere, must be uprooted, he must not be deterred by the thorns of opposition, nor swayed by the flattery of those who seek to please, nor delayed by any obstacles from his duty. For, as Saint Leo the Great said, "the firmness of that faith which is praised in the Prince of the Apostles 'is perpetual'"; but yet, unless diligent resistance is offered to the perversities of opinions, where they first begin to secretly creep in.

[*Latin ed. p. 481*]

Regarding the election of the Supreme Pontiff: 481 Or, if the sheep which labor under this affliction are not entirely separated, lest, being unable to be restored to health by any means, they contaminate the rest, a great disturbance and confusion will surely follow within the Christian society; and not a few, who are not steadfast in their profession of the Catholic faith, will fall away from the Church. Therefore, let that Pontiff, overflowing with the spirit of faith, diligently safeguard the heavenly deposit, fulfilling the Lord's office, to whom the Father has given the nations as an inheritance, and the earth as a possession; and let him constantly teach the truth and exhort those entrusted to him. Let him not cease to warn human society, which has strayed from Jesus Christ and is rushing towards ruin, of the danger, until it returns to Him; meanwhile, raising his eyes to the mountains from which help can come, he will earnestly implore divine mercy with humble prayer and supplication.

Furthermore, it is fitting that the Pontiff should excel in certain qualities,

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such as the faculty of his intellect, the knowledge of things, and the innocence of his life; but above all, he must possess charity, which embraces both Jesus Christ and the entire Church of Christ. For the good Shepherd would not have entrusted his sheep, both the lambs and the sheep, to Peter, unless he knew that, just as he loved him, so too would he love his flock. Therefore, if anyone lacks this quality, even if he seems to abound in all other virtues, do not consider him worthy of so great an office and responsibility. How can he properly govern the Church, which is entirely the wondrous work of the merciful God, who does not earnestly seek the eternal salvation of mankind, for whose sake the Church was instituted? Who can turn this society of the human race, which is departing from the right path, back to the right way? Who can suitably remedy so many and such grievous evils? Who can reconcile and pacify those who are torn apart by hatred, unless he who will occupy the place of Jesus Christ himself possesses the very bowels of charity? Therefore, let the Pontiff be placed on the throne of Peter, so that he may seem to be the parent and queen of all virtues. Let him correct, rebuke, and chasten the erring, where it is necessary, with all patience and instruction; let him encourage those who are walking in the right path; let him raise up the afflicted; let him restrain the stubborn; let him provide all possible assistance to the poor and afflicted; let him present himself to all men as easy to approach and benevolent, by example of Christ; and finally, let him do everything so that all may be saved.

I have, as best I could, depicted the image of that Pontiff, who seems worthy in these troubled times, to whom you, most eminent Fathers, entrust the reins of the holy Church. In this, it is not difficult to recognize certain prominent features of that Father. 1 Psalm ii, 8.

[*Latin ed. p. 482*]

Acts of the Apostolic See - An official record, which the entire Catholic world deeply mourns the loss of. And truly, the virtues which are so greatly needed in the successor of Peter, we have seen brilliantly displayed in him, and he has been exceedingly fitting for these times. But it has pleased the Lord to call his faithful servant and, indeed, his Vicar to heavenly rewards, so that his paternal heart might no longer be torn by the immense spectacle of this war. Therefore, considering nothing human, but only the benefit of the Christian people, let your united votes ensure that the Church may have a new Supreme Pastor and Teacher, in whom there is neither a lack of full faith, vigilance, and spirit, nor of a kind, patient, and steadfast charity, as desired by Pius X.

CONCLAVE REGULATIONS.

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REGULATIONS CONCERNING THE SEALING AND SECURITY.

The Most Reverend Monsignor Nicholas D'Amico, Pro-Prefect of the Apostolic Ceremonies, has issued the following regulations pertaining to this matter:

I. CONCERNING THE INTERNAL SEALING AND SECURITY.

1. The Most Eminent Cardinals, first in the order of Bishops, Priests, and Deacons, together with the Chamberlain of the Holy Roman Church, will assemble at the hour to be announced by the Very Reverend Dean, in the Hall of Vestments.

2. In the same Hall, the Prefect of Ceremonies will be present, acting as Notary, and two Masters of Ceremonies, who will serve as Witnesses, as well as the gentlemen Architects of the Conclave.

3. At the appointed hour, the procession will proceed for the necessary and appropriate inspections, and for the observations in accordance with the Regulations of the Conclave.

4. The internal and external sealing of the Conclave will be carried out simultaneously.

5. After all formalities have been completed, the procession will return to the Hall of Vestments, where the relevant document will be read, with the necessary signatures affixed.

6. The procession will be escorted by two Custodians of the Hall of the Conclave, and by the attendants of the Most Reverend Heads of Orders and the Chamberlain, who will carry lit torches.

The Reverend Monsignor Nicholas D'Amico, Protonotary and Apostolic Ceremonialist.

[*Latin ed. p. 483*]

Conclave 483 II CONCERNING THE SEALING AND EXTERNAL SECURITY: His Excellency the Marshal General and His Excellency the Governor of the Conclave will be pleased to be present on Monday, August 31st, at 5 o'clock in the afternoon, in the Hall of Vestments, awaiting to be summoned by the Master of the Papal Ceremonies to take the oath in the Sistine Chapel, before the Most Holy College of Cardinals.

2° The Most Reverend Patriarchs and the Illustrious and Reverend Archbishops, Bishops, and Prelates of the various Colleges, who will be in charge of the scrutinies, on the same day and hour, before proceeding to the Royal Hall, will assemble in the hall preceding the one called the Hall of Vestments, and likewise all other officials, from which they will proceed at the invitation of the Monsignor Master of Ceremonies.

3° At the sound of the bell, which will be indicated by the Reverend Dean to signify the sealing of the Conclave, His Excellency the Marshal General

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and His Excellency the Governor, accompanied by their attendants and under the direction of the Masters of Ceremonies and the gentlemen Architects, will proceed to the external examination of the Conclave, after which it will be sealed, while a similar examination will be conducted within.

4° His Excellency the Marshal General and His Excellency the Governor of the Conclave, after the sealing of the Conclave, will assemble in the Rochester Hall in the apartments of the Monsignor Master of the Chamber, and there, by the Dean of the Monsignors Protonotaries Apostolic, the document of sealing of the Conclave will be read, and the corresponding signatures will be affixed thereto.

5° His Excellency the Marshal General and His Excellency the Governor of the Conclave, in the exercise of their functions, are accompanied by the Swiss Guard.

6° The officials assigned to the person of His Excellency the Marshal General have charge of the scrutinies, near which will also be the Apostolic Scrutineers.

7° Near the scrutinies guarded by the Reverend Prelates, there will be Swiss Guards and Papal Guards.

8° The procession of His Excellency the Marshal General and His Excellency the Governor, during the external examination of the Conclave, will be accompanied by four grooms and by servants in livery of the Most Excellent House of Chigi, who will carry lit torches. The undersigned, Prefect Nicholas D'Amico, Protonotary, and Jeremiah.

[*Latin ed. p. 484*]

Acts of the Apostolic See - Official Commentary 484. ENTRY INTO THE CONCLAVE. In accordance with the established order and regulations, at the fifth hour after midday on the same day, August 31st, the most eminent and most reverend Lords Cardinals entered the Conclave. From the Order of Bishops: Seraphinus Vannutelli, Bishop of Ostia, Portus, and St. Rufina, Dean of the Sacred College, Major Penitentiary. Antonius Agliardi, Bishop of Albano Laziale, Sub-Dean of the Sacred College, Chancellor of the Holy Roman Church. Vincentius Vannutelli, Bishop of Palestrina, Prefect of the Supreme Tribunal of the Apostolic Signature. Franciscus de Paula Cassetta, Bishop of Frascati, Prefect of the Sacred Congregation of the Council. Caietanus De Lai, Bishop of Sabina, Secretary of the Sacred Congregation Consistorial. Diomedes Falconio, Bishop of Velletri. From the Order of Priests: Ioseph Sebastianus Netto, titular of the Basilica of the Twelve Apostles. Angelus Di Pietro, titular of St. Lawrence in Lucina, Datary of the Holy Roman Church. Michael Logue, titular of St. Mary of Peace, Archbishop of Armagh. Andreas Ferrari, titular of St. Anastasia, Archbishop of Milan. Hieronymus Maria Gotti, titular of St. Mary Scalaris, Prefect of the Sacred Congregation for the Propagation of the Faith. Dominicus Ferrata, titular of

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St. Prisca, Prefect of the Sacred Congregation for the Discipline of the Sacraments and Secretary of the Sacred Congregation of the Holy Office. Ioseph Maria Martin de Herrera y de la Iglesia, titular of St. Mary Transpontine, Archbishop of Santiago de Compostela. Ioseph Francica Nava di Bontifé, titular of Sts. John and Paul, Archbishop of Catania. Augustinus Richelmy, titular of St. Mary in Via, Archbishop of Turin. Leo de Skrbensky, titular of St. Stephen in the Celestial Mountain, Archbishop of Prague.

[*Latin ed. p. 485*]

Conclave 485: Julius Boschi, titular of Saint Lawrence in Panisperna, Archbishop of Ferrara. Bartholomew Bacilieri, titular of Saint Bartholomew in the Island, Bishop of Verona. Raphael Merry del Val, titular of Saint Praxedes. Joachim Arco Verde de Albuquerque Cavalcanti, titular of Saints Boniface and Alexis, Archbishop of São Sebastião do Rio de Janeiro. Aristides Cavallari, titular of Saint Mary in Cosmedin, Patriarch of Venice. Aristides Rinaldini, titular of Saint Pancratius. Benedict Lorenzelli, titular of the Holy Cross in Jerusalem, Prefect of the Sacred Congregation of Studies. Peter Maffi, titular of Saint Chrysogonus, Archbishop of Pisa. Alexander Lualdi, titular of Saints Andrew and Gregory ad divum Scauri, Archbishop of Palermo. Desideratus Mercier, titular of Saint Peter in Chains, Archbishop of Mechlin. Peter Gaspard, titular of Saint Bernard ad Thermas. Louis Henry Luçon, titular of Saint Mary Nova, Archbishop of Rheims. Paulinus Peter Andrieu, titular of Saint Honorius in Janiculum, Archbishop of Bordeaux. Anthony Mendes Bello, Patriarch of Lisbon. Joseph Maria Cos y Machó, titular of Saint Mary de Populo, Archbishop of Valladolid. Anthony Vico, titular of Saint Callistus. John Mary Farley, titular of Saint Mary sopra Minerva, Archbishop of New York. Francis Bourne, titular of Saint Pudens, Archbishop of Westminster. Leo Adolphus Amette, titular of Saint Sabina, Archbishop of Paris. Henry Almaraz y Santos, titular of Saint Peter in Monte Aureo, Archbishop of Seville.

[*Latin ed. p. 486*]

Acts of the Apostolic See - Official Commentary 486. Franciscus Maria Anatolius de Rovérié de Cabrières, titular of St. Mary of Victoria, Bishop of Montpellier. Basilius Pompilj, titular of St. Mary in Aracoeli, General Vicar in the City. Carolus de Hornig, titular of St. Agnes outside the walls, Bishop of Veszprém. Victorianus Guisasola y Menendez, Archbishop of Toledo. Dominicus Serafini, titular of St. Cecilia. Iacobus Delia Chiesa, titular of the Four Crowned Saints, Archbishop of Bologna. Franciscus de Bettinger, titular of St. Marcellus, Archbishop of Munich and Freising. Ioannes Csernoch, Archbishop of Gran. Hector Irenaeus Sévin, titular of the Most Holy Trinity on the Pincian Hill, Archbishop of Lyons. Felix de Hartmann, titular of St. John before the Latin Gate, Archbishop of Cologne. Gustavus Piffl,

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Archbishop of Vienna. From the Order of Deacons: Franciscus Salesius Della Volpe, titular of St. Mary in Aquiro, Secretary of His Holiness, Prefect of the Sacred Congregation of the Index. Octavius Cagianus de Azevedo, titular of Saints Cosmas and Damian, Prefect of the Sacred Congregation for Religious. Caietanus Bisleti, titular of St. Agatha. Ludovicus Billot, titular of St. Mary in Porticus. Gulielmus van Rossum, titular of St. Caesarius in Palatio. Scipio Tecchi, titular of St. Mary in Domnica. Philippus Giustini, titular of St. Angel in Foro Piscario. Michael Lega, titular of St. Eustachius. Ai dan us Gasquet, titular of St. George ad Velabrum. To the Most Eminent Cardinals assembled in the Sixtine Chapel, the Most Reverend Lord Aloisius Chigi, acting as Marshal of the Conclave, according to the established forms, administered the oath before the Most Reverend Cardinal Dean; and likewise, the Most Reverend and Illustrious Lord Aloisius Misciattelli, Governor of the Conclave...

[*Latin ed. p. 487*]

The Conclave, consisting of 487 individuals, including the Patriarch, Archbishops, Auditors of the Sacred Roman Rota, and all those to whom the custody of the Conclave was in any way entrusted. The Conclavists, on the previous day, had taken the oath, according to the Piam Constitution Vacante Sede Apostolica, the priests in Latin, the laymen in their own language, before the Most Reverend Monsignor Nicholas D'Amico, Pro-Prefect of the Sacred Ceremonies. After this was completed, all departed from the chapel, except for the Cardinals, who remained assembled there, listening again to the reading of the Constitutions concerning the Conclave. Afterwards, with the doors of the chapel opened, accompanied by the noble Pontifical guard, each went to his own cell. Then, according to the norms mentioned above, the visitation and sealing of the Conclave took place. Three times, at the order of the Cardinal Deacon, the bell was rung, and the Ceremonial Masters traversed the corridors, proclaiming: "All out." When all had departed, the Sacred Roman Elector solemnly closed the Conclave from within, and handed the keys to himself, to the Master of Ceremonies, and to the Prelates entrusted with the custody of the Conclave, as is customary. Then, with the torches lit, three Cardinals, the Heads of the Orders, and the Elector, together with the Master of Ceremonies, carefully searched all the hidden places and corners of the Conclave, to ensure that none of those who are forbidden to be in the Conclave might have remained inside. And with this completed, the following was performed: THE REQUEST FOR THE INTERNAL SEALING OF THE CONCLAVE. In the name of the Lord. Amen. Let it be known to all and each who shall see, read, and hear this public instrument, that on the thirty-first day of the month of August, in the year one thousand nine hundred and fourteen, at the seventh hour of the evening, the Most Eminent and Most Reverend Monsignors: Lord Vincent, by the mercy of God, Bishop of Palestrina; the

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Most Holy Cardinal Vannutelli; Lord Andrew, holding the title of Saint Anastasia, the Most Holy Cardinal Ferrari; and Lord Octavius, Deacon of Saints Cosmas and Damian, Cardinal Cagiano de Azevedo, by a special mandate from the two Most Eminent Deans of each Order, and the Most Holy Cardinal Elector, together with me and the witnesses mentioned below, having inspected the entire Conclave, by order of the Apostolic See, vacant through the recent demise of our Holy Father Pope Pius X, found it to be thoroughly obstructed by walls and sealed on all sides, and, excluding all those who ought not to remain within it, they secured the door with three keys; this Conclave remains in the same state.

[*Latin ed. p. 488*]

The Acts of the Apostolic See – Official Commentary 488 judged and found to be safely and legitimately conducted for the purpose of electing the Roman Pontiff, and to proceed according to the form of the Pius Constitution. The acts were carried out in the Apostolic Palace, within the very Conclave, in the year, month, and hour as mentioned above, with the presence of the Most Reverend Fathers Joseph Tani and John Baptist Menghini, my colleagues, Masters of the Apostolic Ceremonies, who were appointed by me as witnesses and questioned. Vincent, Bishop of Praenestin, Cardinal Vannutelli. Andrew, Cardinal Ferrari. Cardinal Cagiano de Azevedo. Francis, Cardinal della Volpe, Chamberlain of the Holy Church. Joseph Tani, from the Apostolic Ceremonies, witness. John Baptist Menghini, from the Apostolic Ceremonies, witness. Nicholas D'Amico, Apostolic Protonotary and Pro-Prefect of the Ceremonies of the Apostolic See. At the same time, by the Reverend Governor and by the Prince Pro-Marshal, the same actions were carried out outside, with the keys entrusted to the diligent custody of the Pro-Marshal himself. The closing and the handing over of the keys were likewise carried out twice by the Sub-Dean of the Protonotaries Apostolic, ROGITUS. CLOSING OF THE EXTERNAL CONCLAVE. On behalf of the Most Eminent Lord Pro-Marshal of the Conclave: In the name of God. Amen. Because the See is vacant due to the recent death of the Holy Memory of Pope Pius X. Instrument of delivery of the keys of the Conclave and of the closing of the same. On the thirty-first day of August, in the year nineteen hundred and fourteen. I, Ascenso Dandini, Sub-Dean of the College of Apostolic Protonotaries, at the request of His Excellency, Prince Don Ludovico Chigi, who in the present Conclave has been delegated by the Eminent Cardinals to represent his father, the very aged and most excellent Signor Prince D. Mario Chigi, Perpetual Marshal of the Holy Roman Church, Custodian of the Conclave, Noble Patrician Citizen of Rome, Prince of the Holy Roman Empire, etc., I went to the

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Vatican, to his present residence, formerly that of Monsignor Maestro.

[*Latin ed. p. 489*]

Conclave 489 of the Chamber, now assigned to the Most Excellent Lord for the custody of this Conclave, which is located halfway up the new staircase leading to the courtyard of St. Damasus. Upon arriving there and being admitted to his apartments, I found His Excellency, the Most Noble Prince of Campagnano, Don Ludovico Chigi, son of the Most Excellent Prince, Don Mario, who ordinarily resides in his palace on Piazza Colonna, number 370. Shortly after my arrival, at seven o'clock in the evening, one of the Monsignors, Masters of the Pontifical Ceremonies, entered the apartments, having been sent there by the Most Reverend Cardinals, Heads of Orders, announcing that the closure of the Conclave had arrived. Consequently, His Excellency proceeded towards the main door of the Conclave, where he was awaited by the aforementioned Most Reverend Eminences. His Excellency, the Most Noble Prince, was accompanied by myself, the undersigned Sub-Dean of the Apostolic Protonotaries, by the Monsignor, Master of Ceremonies, by the Captains of the Rota, by the Reverend Cavalier Bartolomeo Farelli, Pro-Secretary and Pro-Chancellor of the Royal Congregation of Affairs, and by the witnesses, the Most Noble Prince Lancellotti and the Most Noble Count Ginnastolfo Servanzi, together with his retinue, and surrounded by the Captains of the guard assigned to the custody of the Conclave and by some men of the Swiss Guard. Passing through the closed portico that leads from the courtyard of St. Damasus to the courtyard of the Marshal, he ascended the staircase of the Apostolic Palace that leads to the Royal Hall. Upon arriving there, he found, at the door of the same, which constitutes the main gate of the Conclave, on the threshold, the Most Reverend and Right Reverend Cardinal Francesco Salesio Della Volpe, Chamberlain of the Holy Church, together with the Most Reverend Eminences, his colleagues, Heads of Orders. The Most Reverend Chamberlain then handed a bag of crimson damask, adorned with gold ribbons and bows, to the Monsignor, Prefect of the Pontifical Ceremonies, who extracted from it five keys of different sizes, two of which refer to the secondary entrance door of the Conclave, located in the entrance hall between the two courtyards of St. Damasus and the Parrots, and the other three to the aforementioned main door; these keys were tested on the various locks, together with that of the small panel, which is an integral part of the main door itself. After this was done and the keys were returned to the bag, the Most Reverend Chamberlain handed the bag to the Most Excellent Prince, who repeated the testing of the keys in the individual locks. After this, His Excellency, the Most Noble Prince, conferred with the aforementioned Most Reverend Eminences, decreed the formal closure of the Conclave, and after suitable formalities, the aforementioned Prince, in the presence of the

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aforementioned, recorded the events.

[*Latin ed. p. 490*]

490 Acta Apostolicae Sedis - Commentary Official, by myself and the other aforementioned gentlemen, and the aforementioned witnesses, the door and small door of the Conclave were secured and effectively closed from the outside, at the point where it was distinctly heard that the same was being done from the inside, and in this manner, approximately at half-past seven o'clock, the main door of the Conclave was formally closed. After which, the other secondary door was closed with the keys previously received, which were placed in the aforementioned bag and held by the aforementioned Excellency, who, together with myself, the undersigned, with the aforementioned escort and retinue, returned to his apartments. For the sake of perpetual remembrance of these matters, the present document was drawn up. This document was made in Rome, in the Apostolic Palace at the Vatican, in the aforementioned apartment of His Excellency, the aforementioned Prince, in the presence of, etc. Thus it is. LUDOVICO CHIGI, Prince of Campagnano. Giuseppe Alessandri, Captain of the Conclave. Enrico Manni, Captain of the Conclave. Gaetano Senni, Captain of the Conclave. Filippo Marucchi, Captain of the Conclave. Bartolomeo Farelli, Pro-Secretary and Pro-Chancellor of the Reverend Apostolic Chamber. Filippo Lancellotti, witness. Giannastolfo Servanzi, witness. Thus it is: Ascenso Dandini, Apostolic Protonotary of Number. Aristodemo Pulci, Secretary Coadjutor of the College of Apostolic Protonotaries, on behalf of the Most Excellent and Reverend Lord Aloysius Misciat.

[*Latin ed. p. 491*]

The Conclave, numbering 491 individuals, the Governor of the Conclave, and the Reverend Father Philip Pacelli, Advocate of the Consistorial Hall and General Commissary of the Conclave, approached me personally at the Apostolic Palace in the Vatican, where I found the entire Conclave constructed in that part of the Apostolic Palace which remains enclosed, accessible by new staircases leading to the atrium of Saint Damasus, on the right from the atrium of the Swiss Guards, in front from the garden and atrium commonly called Belvedere, and on the left from other atriums commonly called dei Pappagalli and della Sentinella. Together with the Most Reverend and Most Reverend Governor and the Illustrious Commissary of the Conclave mentioned above, and the Illustrious Fathers Philip Schneider and Lewis Alessandri, Architects of the Conclave, and the Reverend Bartholomew Farelli, Knight, Pro-Chancellor and Pro-Secretary of the Sacred Apostolic Chamber, and the witnesses hereinafter specified, who were especially appointed for this purpose, I examined the aforementioned locations, conducting a thorough search together with each of the aforementioned individuals in every exterior part of the Conclave, and I found it

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completely and entirely enclosed by walls, with only two wooden doors remaining for entry into the Conclave: one at the top of the staircase that leads to the royal hall from the atrium commonly called del Maresciallo, and the other which leads from the atrium commonly called dei Pappagalli to the atrium of Saint Damasus, the custody of which has been entrusted to the Most Noble Lord Mario Chigi, Perpetual Marshal of the Conclave, and for him, to the Most Noble Lord Lewis Chigi. Furthermore, etc. This was done in Rome, at the Apostolic Palace in the Vatican, in the presence of, etc. ALOYSIUS MISCIATTELLI, Governor of the Conclave. Philip Pacelli, General Commissary of the Conclave. Philip Schneider, Architect. Lewis Alessandri, Architect. Bartholomew Farelli, Pro-Secretary and Pro-Chancellor of the Sacred Apostolic Chamber. Philip Lancellotti, witness. Io. Astolphus Servanzi, witness. Thus it is. Ascent tium. Dandini, Apostolic Protonotary of the number of participants. Aristodemus Pulci, Secretary Coadjutor. Apostolic Prot. of Number of Participants.

[*Latin ed. p. 492*]

From the *Acta Apostolicae Sedis* – Official Commentary: PUBLIC PRAYERS IN THE CITY DURING THE CONCLAVE. His Eminence and Reverend Cardinal, the Vicar of the City, had already promulgated this edict: DISPOSITIONS AND ORDERS FOR PUBLIC PRAYERS DURING THE VACANT SEE. Basilio, of the Titulus of S. Maria in Aracoeli of the Most Holy Roman Church, Cardinal Priest, General Vicar and Ordinary Judge of Rome and its District. In these days, the hearts of Christendom, saddened by the departure of the Holy Pontiff Pius X, are also filled with anticipation for the forthcoming event of the succession to the Throne of Saint Peter. All nations, awaiting, are now turned towards our Rome and the Vatican. Prayer, O faithful, prayer and penance are what the Church asks of you in these solemn moments, that the Lord may grant us a faithful priest, who will serve Him according to His Heart and always walk before His Christ. Therefore, let us pray with unanimous perseverance, invoking the intercession of the most holy Mary, Queen of the Apostles. Let the Holy Spirit hover sensitively and lovingly over the Most Eminent Cardinals assembled, let it penetrate their hearts as a burning flame, inspiring and moving their tongues. "We humbly implore You, O Lord, to grant to the holy Roman Church, through Your immense mercy, such a Pontiff, that he may always please You through his constant care for the Christian people, and that, through wise governance, he may be worthy of reverent and devoted obedience, to the glory of Your name" (Mass for the Election of the Supreme Pontiff). "May Your mercies hasten to meet us; help us, O God our Savior, for the glory of Your name; we, Your people and sheep of Your flock, will announce Your praises from generation to generation" (Psalm 79). In accordance with the provisions contained in the Constitution of Blessed Gregory X, *Ubi periculum* (Chapter III, on Elections, paragraph

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6), we order that, beginning on August 31st of the current year, on which day the Most Eminent Cardinals will enter into Conclave, and until the end of the Conclave, in all the Patriarchal Basilicas, in the Collegiate churches, and in the other churches of the Secular and Regular clergy, in which the conventual Mass is celebrated, after the Mass, the Celebrant shall recite the prescribed prayers.

[*Latin ed. p. 493*]

We also decree that, in the aforementioned Patriarchal and Minor Basilicas, and in other churches that may be designated, on the days assigned to them, the Most Holy Sacrament be exposed from eight o'clock in the morning until approximately five o'clock in the evening, and that, when it is reposed, the Litanies of the Saints be sung, along with prayers for the Vacant See, and finally, the Eucharistic Blessing be imparted to the people.

BASILIO CARDINAL VICAR.

Monday, August 31st: St. John Lateran. - St. Peter in the Vatican.

Tuesday, September 1st: St. Mary Major. - St. Mary in Trastevere.

Wednesday, September 2nd: St. Mary in Traspontina. - St. Mary on the Hills.

Thursday, September 3rd: St. Charles at the Catacombs. - St. Heart at Castro Pretorio.

Friday, September 4th: St. Mary above Minerva. - St. Joachim in Prati.

Saturday, September 5th: St. Augustine. - St. Camillus.

Sunday, September 6th: St. Charles on the Corso. - St. Mary of Victory.

Monday, September 7th: Most Holy Name of Jesus. - St. Mary Immaculate in the Tiburtine Quarter.

Tuesday, September 8th: St. Teresa on the Corso d'Italia. - St. Francis at Ripa.

Wednesday, September 9th: St. Lawrence in Damasus. - St. Mary Liberator at Testaccio.

CONCLAVE DIARY

On the 7th day of September, the wheels of the Conclave were guarded by the Most Illustrious and Reverend Lords:

Clergy of the Camera: Vincent Maria Ungherini and Felix Sarra.

Apostolic Protonotaries: Benedict Melata, Joseph Wilpert, Peter Piacenza, and John Zani-Caprelli.

Voters of the Signature: Ferdinand Procaccini of Montescaglioso, Hermes Binzecher, and Joseph Guthlin.

Auditors of the Holy See: Seraphinus Many and Aloysius Sincero.

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Bishop present at the See: D. Anthony M. Bonito, titular Archbishop of Auxum.

On the morning at 1 o'clock and in the evening at 6 o'clock, a large crowd of people gathered at St. Peter's, vainly awaiting the announcement of the election of the Pope.

On the 2nd day of September, the wheels of the Conclave were guarded by the Most Illustrious and Reverend Lords:

Clergy of the Camera: Felix Sarra, Vincent Bugarini, and Vincent Maria Ungherini.

[*Latin ed. p. 494*]

Acts of the Apostolic See - Official Commentary 494, Notaries Apostolic: Humbert Benigni and John Zani-Caprelli. Voting Signatories: Hermes Binzecher and Ferdinand Procaccini of Montescaglioso. Auditors of the Sacred Congregation and the Boot: Joseph Mori. Bishop present at the Throne: Augustus of Silj, titular Archbishop of Caesarea. On this day as well, the people of the Pope desired an election. On September 3rd, the doors of the Conclave were guarded by 11 Most Reverend Lords: Clerks of the Chamber: Vincent Maria Ungherini, Felix Sarra, Anthony Marini, and John Maria Zonghi. Apostolic Notaries: Peter Piacenza and Joseph Wilpert. Voting Signatories: Hermes Binzecher and Ferdinand Procaccini of Montescaglioso. Auditor of the Sacred Congregation and the Boot: Anthony Perathoner. Bishops present at the Throne: Aloysius Lazzareschi, titular Archbishop of Iconium, and Anthony M. Bonito, titular Archbishop of Auxum. ELECTION OF THE SUPREME PONTIFF. Finally, on this day, September 3rd, the Most Reverend and Most Eminent Lord Cardinal JAMES DELLA CHIESA was happily elected as Supreme Pontiff, who, when asked by the Most Reverend Cardinal Dean: "Do you accept the canonically made election to the Supreme Pontificate?", answered affirmatively. And when asked again: "By what name do you wish to be called?", he said: "BENEDICT XV." The Reverend Prefect of Ceremonies, as Apostolic Notary, immediately recorded the act of acceptance as follows: ACT OF ACCEPTANCE OF THE SUPREME PONTIFFATE. In the name of the Lord. Amen. I, Nicholas D'Amico, Apostolic Notary and Master of Ceremonies of the Holy See, acting in the office of Prefect by the authority of the Sacred College, having been requested by office, attest and make known to all the Most Eminent and Most Reverend Lord JAMES, with the title of the Four Crowned Martyrs,

[*Latin ed. p. 495*]

The election of the Supreme Pontiff: 495 of the Sacred Roman Church declared Cardinal DELLA CHIESA, Archbishop of Bononiensem, to have canonically accepted the election made upon him as Supreme Pontiff, and to have bestowed upon himself the name BENEDICT XV, so that all pub-

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lic documents concerning this matter may be drawn up. These acts were recorded in the Conclave after the death of the blessed and revered Pope Pius X, on this third day of September, in the year of Our Lord (1914), 1914, with witnesses present and questioned, by the undersigned, the Secretary of the Sacred College, and my associates, the Reverend Doctors Joseph Tani and John Baptist Menghini, Masters of the Apostolic Ceremonies: Thomas Boggiani, Archbishop of Edessen, Secretary of the Sacred College; Joseph Tani, Master of the Apostolic Ceremonies; John Baptist Menghini, Master of the Apostolic Ceremonies; Nicholas D'Amico, Apostolic Protonotary, Pro-Prefect of the Ceremonies.

Clad in the papal vestments, according to custom, the Pontiff immediately imparted the apostolic blessing to the Cardinals present, and received their first adoration. Afterwards, the Cardinal Dean, accompanied by the Masters of Ceremonies, placed the fisherman's ring on the finger of the Pontiff, who then handed it to the Pro-Prefect of the Ceremonies, to have his name inscribed upon it.

PROCLAMATION:

Meanwhile, to the people awaiting below, Cardinal Francis Salesius Della Volpe, the Prior of the Deacons, announced the joyful news from the upper portico of the Basilica Vaticanae: "I announce to you great joy: we have elected the Most Eminent and Reverend Lord James DELLA CHIESA, who has bestowed upon himself the name BENEDICT XV."

Thereupon, a great applause arose from the multitude, which immediately surged into the Basilica to receive the first apostolic blessing.

A little later, the Supreme Pontiff appeared at the window of the inner portico, amidst the loud acclaim of all. When the crowd, now attentive, fell silent, Pope Benedict XV solemnly imparted the blessing, according to the Roman Ceremonial, with a raised and firm voice, and greeted the people with a joyful and resounding applause, again and again, before withdrawing into his apartments.

[*Latin ed. p. 496*]

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CONCERNING THE CLOSURE OF CONCLAVES

In the afternoon, in the Sixtine Chapel, the Most Blessed Father received the adoration of the Eminent Cardinals; after which, the Conclave was closed, both externally and internally, and in memory of this event, the following solemn instrument was drawn up:

A DECLARATION CONCERNING THE CLOSURE OF THE CONCLAVE

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In the Name of God. Amen.

Under the Pontificate of His Holiness POPE BENEDICT XV,

In the first year of his Pontificate, during the Roman Indiction of Twelfth.

On the third day of September, in the year nineteen hundred and fourteen.

Instrument of Solemn Closure of the Conclave.

I, Ascenso Dandini, Under-Dean of the College of Apostolic Notaries, at the request of His Excellency, the Most Noble Prince of Campagnano, who, in this present Conclave, has been delegated by the Eminent Cardinals to represent his father, the most venerable Prince D. Mario Chigi, Perpetual Marshal of the Holy Roman Church, Custodian of the Conclave, Noble Patrician Citizen of Rome, Prince of the Holy Roman Empire, etc., I have gone to the Vatican, to his present residence, formerly that of Monsignor, Master of the Chamber, now assigned to the aforementioned Excellency for the custody of this present Conclave, which is located in the Scala nuova that leads to the Courtyard of St. Damasus.

Having arrived there and being admitted into his apartments, I found His Excellency, the Most Noble Prince of Campagnano, D. Ludovico Chigi, son of the aforementioned Most Noble Prince D. Mario, who ordinarily resides in his Palace at Piazza Colonna, number 370.

While the aforementioned Excellency had only recently learned that in the scrutiny of this morning, the election of the Supreme Pontiff had taken place, the joyful sound of the bells of St. Peter was heard, and simultaneously, the acclamations of the people were heard upon the announcement made by the Eminent Cardinal Francesco Saverio della Volpe, from the main loggia of the facade of the Basilica of St. Peter, that the Supreme Pontiff had been canonically elected in the person of Cardinal GIACOMO DELLA CHIESA, Archbishop of Bologna.

[*Latin ed. p. 497*]

The Conclave was concluded. Simultaneously, the Most Eminent Prelate was accompanied by one of his Captains, who had been summoned to the Rota, and who informed the Holy College of the election of the Supreme Pontiff, and that at half-past four, the doors of the Conclave would be opened. In accordance with this, the esteemed Prince, preceded by his attendants and accompanied by His Excellency Monsignor Misciattelli, Governor of the Conclave, by myself, the undersigned Sub-Dean of the College of Apostolic Notaries, by Monsignor, Master of Ceremonies, by the Captains of the Rota, and by the Reverend Cavalier Bartolomeo Farelli, Pro-Secretary and Pro-Chancellor of the Royal Apostolic Chamber, and by the witnesses, the aforementioned Prince Filippo Lancellotti and the aforementioned Count Giannastolfo Servanzi, together with his retinue and some of the Swiss Guard, proceeded to the main door of the Conclave.

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Upon entering, and after verifying the integrity of the external lock with the keys he carried in the customary pouch, he opened the door from the outside, while a similar action was performed from within. Having given prior instructions from the Most Eminent Prelate that no one should enter the door of the Conclave at that time, and after leaving his Swiss Guard, His Excellency proceeded inside, followed by myself, the undersigned Sub-Dean of the Apostolic Notaries, to the altar of the Sistine Chapel, where the scrutinies had been held by the Holy College during the recent Vacancy. Upon a chair adorned on the ledge of the altar itself, the newly elected Supreme Pontiff was seated, wearing a white cassock, according to custom. The aforementioned Prince immediately knelt, and with all reverence, before anyone else, kissed the foot of His Holiness, from whom he received unmistakable signs of satisfaction. The same was done by myself, the undersigned Sub-Dean of the Apostolic Notaries, and by the aforementioned gentlemen and witnesses. After spending some time in the Chapel and the adjacent room, the aforementioned esteemed Prince, always accompanied by the Swiss Guard, returned to his apartments, from where he thanked the aforementioned Guard. Of these matters, so that a perpetual memory of them may remain at all times, I, the undersigned Sub-Dean of the Apostolic Notaries, have requested the present document at the request of the aforementioned esteemed Prince. This document was drawn up in Rome, in the Vatican Apostolic Palace, in the aforementioned apartments of His Excellency, the Prince Chigi, in the presence of the aforementioned gentlemen, namely: His Excellency Monsignor Misciattelli, Monsignor, Master of Ceremonies.

[*Latin ed. p. 498*]

498 Acta Apostolicae Sedis - Official Commentary on the Ceremonies, the Captains of the Ranks, the Most Noble Signor Bartolomeo Farelli, the Most Noble Prince D. Filippo Lancellotti, and the Most Noble Count Giannastolfo Servanzi. x LUDOVICO CHIGI, Prince of Campagnano; Luigi Misciattelli; Bartolomeo Farelli, Pro-Secretary and Pro-Chancellor of the Sacred Congregation; Filippo Lancellotti, witness; Giannastolfo Servanzi, witness; Advocate Filippo Pacelli, Commissioner of the Conclave; D. Carlo Respighi, Master of Ceremonies; Giuseppe Alessandri, Captain of the Conclave; Enrico Manni, Captain of the Conclave; Gaetano Senni, Captain of the Conclave; Filippo Marucchi, Captain of the Conclave. Thus it is: Ascenso Dandini, Apostolic Protagonist, participating; Aristodemo Pulci, Secretary Coadjutor. On the 4th of September, at the tenth hour, the Most Holy Pope BENEDICTUS XV placed the biretta upon the head of the Most Eminent and Reverend D. Antonio Mendes Bello, Patriarch of Lisbon. Then, in the Sistine Chapel, he received the third adoration of the Most Eminent Cardinals, while the choir sang the Ambrosian hymn. After the prayers recited by the Most Reverend Cardinal Vincentio Vannutelli for the grant-

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ing of graces and for the Pope, the Blessed Father imparted the Apostolic Blessing.

CORONATION OF THE SUPREME PONTIFF. For the ceremonies of the Coronation of the Supreme Pontiff, the following notice was issued to be carried out by messengers, with a copy delivered to the Most Holy Pope BENEDICTUS XV: The ceremonies of the Coronation will take place in the Sistine Chapel of the Apostolic Palace at Vatican, on the 6th of September, 1914, on the 14th Sunday after Pentecost, at half-past nine o'clock. The Most Eminent and Reverend Cardinals, wearing red vestments and shoes, shall proceed to the hall of vestments in the first division of the Apostolic Palace, and there they shall put on the amice, the mitre of silk and damask, and the sacred vestment of the color proper to their Order, namely: Cardinals who are Bishops shall wear a pluvial of simple silver cloth with a formal and superpellice; Presbyters shall wear a chasuble ornamented with Phrygian work; and Deacons shall wear a dalmatic similarly ornamented. Their tailcoats shall be those customarily worn, of yellow color.

[*Latin ed. p. 499*]

The coronation of the Supreme Pontiff takes place wearing a purple vestment, and he brings with him and puts on the *superpellice* and the veil, which serves as a mitre. The Most Reverend Fathers, Patriarchs, Archbishops, Bishops, and others, put on the sacred vestments in the Stone Hall; namely, the *amictus*, the *pluvial* made of silver cloth, and the linen mitre; the Prelates, however, with the exception of the Protonotaries, put on the *superpellice* over the cassock. Having put on the sacred vestments, His Most Holy Lordship will proceed to the Paulist Chapel, being carried there in a palanquin, and, after having venerated the Most Holy Sacrament solemnly exposed, he will go to the Hall above the portico of the Vatican Basilica. After the singing of the Hour of None and the other customary rites, the Pope will be carried in a procession to the Sistine Chapel. After the Confession, the Cardinals will give their obedience to the Pope seated on the throne, kissing his foot, hand, and face; the Bishops will kiss his feet and knees; the Abbots and Penitentiaries will be permitted to kiss only his feet. After the Mass, the Pope will be crowned; the solemn blessing will be given, and a Plenary Indulgence will be granted. In the Hall of Vestments, after having removed his pontifical vestments, His Eminence will be wished good fortune and happiness by the Dean, in the name of the entire Sacred College. Three of the Most Reverend Auditors of the Holy Rota will put on the *superpellice*. From among these Auditors, those who will perform the duties of Subdeacons will put on the vestments in the Hall above the portico of the Vatican Basilica; the others will put on the *amictus* and the tunic in the same Hall, where also the Advocates of the Sacred Consistory will put on their white *pluvials*. The Dean of the Signature of the Voters will instruct seven Prelates who will minister in the office of Acolytes, and

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eight other Prelates who, wearing a cassock under the *mantelletto*, will be present to hold the poles of the baldachin over the Pope in prayer, from the Hall above the portico of the Vatican Basilica to the Sistine Chapel. Therefore, all and each of the Most Eminent and Most Reverend Lords, Cardinals, Patriarchs, Archbishops, Bishops, both those present at the throne and those not present, the Vice-Chamberlain, the Auditor of the Holy Rota, the Master of the Sacred Hospitium, the Apostolic Protonotaries, the Abbots and Generals of the Mendicant Orders (who have a place in the Chapel), the Most Reverend Auditors of the Holy Rota, the Clerics of the Holy Rota, the Signatories of the Voters, the Advocates of the Sacred Consistory Hall, the four Penitentiaries of the Vatican Basilica, the Procurators of both the Regular Orders and the Holy Palace, the Cubicularii and Officials, and others customarily summoned, are hereby notified. By order of His Most Holy Lordship, the Pope, the Reverend Father Francis Riggi, Prefect, Nicholas D'Amico, Protonotary Apostolic, Master of the Holy See Ceremonies.

[*Latin ed. p. 500*]

Acts of the Apostolic See - Official Commentary 500 CROWNING. On the sixth of September, the Most Holy Pope Benedict XV, in the Sistine Chapel, after a Pontifical Mass celebrated with the most august and special rites, was crowned with the greatest solemnity by the Prior of the College of Cardinals. Present were the Eminent Fathers Cardinals, all the members of the Pope's household, the Prelates of the Roman Curia, the diplomatic corps, military and civil orders, the most patriotic and noble men of the city, the delegations from the cities of Genoa and Bologna, and finally, a large number of clergy and people. With the most splendid ceremony completed, the Most Eminent and Reverend Cardinal Anthony Agliardi, Subdeacon of the Sacred College, expressed the hopes and wishes of the Eminent Fathers with the most noble words. To this, the Most Blessed Father, gratefully responding, prayed for the good of the Church of Christ, in accordance with the hopes of the Fathers, and fervently hoped that these things would come to pass, with the favor of God and with the help of their counsel.

THE ANNIVERSARIES OF HIS HOLINESS, POPE BENEDICT XV.

Born in Genoa.

Ordained to the priesthood.

Appointed Apostolic Nuncio to the Catholic King of Spain.

...

Substituted for the Secretary of State.

Elected Archbishop of Bologna.

...

Consecrated by the Most Holy Pope Pius X.

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Created Cardinal of the title of the Four Crowned Saints.
Elevated to the Supreme Pontificate.
...
Solemnly crowned on November 21, 1854.
December 21, 1878.
January 2, 1883.
April 23, 1901.
December 16, 1907.
December 22, 1907.
May 25, 1914.
September 3, 1914.
September 6, 1914.

[*Latin ed. p. 501*]

ACTS OF POPE BENEDICT XV, 501. ACTS OF POPE BENEDICT XV. ADDRESS TO ALL CATHOLICS OF THE WORLD.

When, for the first time, we were established upon the Chair of the Blessed Peter, we were indeed thoroughly aware of how inadequate we would be for so great a task; therefore, we reverently adored the secret counsel of God's providence, Who had raised our humble person to so exalted a degree. And if we seem to have undertaken the administration of the Supreme Pontificate, not adorned with the praises of deserved merits, but only with the trust in divine goodness, we do not doubt that He will grant us both strength and help, Who has imposed so great a burden of dignity upon us.

Now, from this apostolic height, having considered the entire flock of the Lord entrusted to our care, we were immediately struck with unspeakable horror and grief by the immense spectacle of this entire war, as we saw a large part of Europe devastated by fire and sword, and stained with the blood of Christians. Indeed, from the Good Shepherd, Jesus Christ, Whose place we hold in governing the Church, we receive this very thing: that we may embrace with the bowels of paternal charity all those who are His sheep and lambs. Therefore, because of their salvation, following the example of the Lord, we must be, as we are, ready to give even our lives; and it is certain and deliberate in our mind that, as far as it is in our power, we will not fail to do anything that pertains to hastening the end of this calamity.

At the present time, — before, according to the custom and practice of the Roman Pontiffs, we summon all the sacred prelates with encyclical letters at the beginning of our pontificate — we cannot refrain from receiving the last words of our most holy predecessor, Pope Pius X, whose immortal memory is worthy of all honor, words which, in the very beginning of this war, he

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uttered with apostolic concern.

[*Latin ed. p. 502*]

502 Acta Apostolicae Sedis - The Commentary officially expresses the concern and love of the human race in some measure. Therefore, while We ourselves, with our eyes and hands raised to heaven, are supplicating God, We urge all the children of the Church, especially those of the sacred orders, as He diligently urged them, to continue, to persevere, to insist, to strive, both privately through humble prayer and publicly through frequent supplications, to implore God, the governor and ruler of all things, that, mindful of His mercy, He may lay aside this scourge of wrath, by which He indeed exacts punishment for the sins of the people. And may the most Blessed Virgin Mary, whose most blessed birth is celebrated on this very day, be present and favor us with her help, as a dawn of peace to the suffering human race, for it is through her that the Eternal Father willed to reconcile all things, both those that are in heaven and those that are on earth, through the blood of His cross (Colossians 1:20). We earnestly pray and implore those who govern the affairs of nations, that they may now resolve to lay aside all their dissensions for the sake of the well-being of human society; that they may consider how much misery and sorrow already accompany this mortal life, so that it should not be made much more miserable and sorrowful; that they may be willing to accept what has already been given in ruins, and what has already been shed in human blood; therefore, let them hasten to enter into plans for peace and to join hands. For they will indeed receive rewards from God, both for themselves and for their respective peoples; they will merit the best things for the civil association of mankind; and let those who, from this very great disturbance of affairs, experience not inconsiderable difficulties in the very undertaking of the Apostolic office, know that they will be most grateful and most pleasing to Us. Given from the Vatican, on the eighth day of September, in the year of Our Lord 1914, on the feast of the most holy Nativity of Mary. BENEDICT XV, Pope.

[*Latin ed. p. 503*]

SUPREME SACRED CONGREGATION OF THE HOLY OFFICE (SECTION ON INDULGENCES)

I. INDULGENCES WHICH ARE GRANTED TO THE FAITHFUL BY HIS HOLINESS, POPE BENEDICT XV, TO THOSE WHO POSSESS ANY OF THE CROWNS, ROSARIES, CROSSES, CRUCIFIXES, SMALL STATUES, OR MEDALS, WHICH HAVE BEEN BLESSED BY THE SAME HOLINESS.

Instructions. In order that one may gain the Indulgences which are granted by the Supreme Pontiff, Benedict XV, to all the faithful of both

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sexes, who possess any of the crowns, rosaries, crosses, crucifixes, small statues, and medals, which have been blessed by the same Holiness, it is required:

1. That the faithful bring some of the aforementioned objects with them in person.

2. If this is not possible, it is required that they keep the object in their own room, or in another suitable place in their dwelling, and recite the prescribed prayers before it with devotion.

3. Excluded from the grant of the Apostolic blessing are images printed by means of types, as well as crosses, crucifixes, small statues, and medals made of tin, lead, or other fragile or perishable materials.

4. The images must represent Saints who have either already been canonized in the customary manner, or who have been properly described in approved martyrologies.

Indulgences. With these things presupposed, the Indulgences are listed which can be obtained through the grant of the Supreme Pontiff, from one who possesses any of the aforementioned objects, and the pious works which must be performed in order to obtain them:

Whoever, at least once a week, recites the Rosary of the Holy Name, or any of the crowns of the Blessed Virgin Mary, or one-third of the Rosary, or the Divine Office, or the Little Office of the same Blessed Virgin, or the Office of the Faithful Departed, or seven penitential Psalms, or gra-

[*Latin ed. p. 504*]

504 Acta Apostolicae Sedis - Official Commentary: Those who are accustomed to giving instruction in the Christian faith, or who visit prisoners, or who mercifully visit the sick in hospitals, or who assist the poor, or who attend Mass, and if they are priests, administer it: whoever does these things with a truly contrite heart, and having confessed his sins, shall approach the Holy Synaxis on any of the following days, namely, the Nativity of the Lord, Epiphany, the Resurrection, the Ascension, Pentecost, and also on the feast days of the Most Holy Trinity, the Body of Christ, Purification, the Annunciation, the Assumption, the Nativity and Conception at ConcepciÃ³n of the Blessed Virgin Mary, the Nativity of Saint John the Baptist, Saint Joseph, spouse of the same Blessed Virgin Mary, of the Holy Apostles Peter and Paul, Andrew, James, John, Thomas, Philip, and James, Bartholomew, Matthew, Simon, and Jude, Matthias, and All Saints; and on the same day shall devoutly pray to God for the extirpation of heresies and schisms, for the increase of the Catholic faith, for peace and concord among Christian princes, and for other needs of the Holy Church; he shall gain a Plenary Indulgence on each of those days. Whoever, at least with a contrite heart, performs all of these things on other feasts of the Lord and of the Blessed Virgin Mary on any of the aforementioned days, shall acquire

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an Indulgence of seven years and as many quarantines. On any Sunday or other feast day of the year, he shall gain an Indulgence of five years and as many quarantines. But if he performs these things on any other day of the year, he shall acquire an Indulgence of one hundred days. Furthermore, whoever is accustomed to recite at least once a week a part of the Rosary, or the Little Office of the Blessed Virgin Mary, or for the faithful departed, or Vespers, or at least Nocturns with the Lauds, or seven penitential Psalms with the Litany and attached prayers, shall gain an Indulgence of one hundred days each time he does so. Whoever, being in the article of death, commendeth his soul devoutly to God, and, according to the instruction of the blessed and revered Benedict XIV in the Constitution which begins with "Pia Mater" dated April 5, 1747, is prepared to await death with a willing spirit, truly contrite, having confessed and having received Holy Communion, and if he cannot, at least contrite, shall invoke with his heart, if he is hindered by his lips, the Most Holy Name of Jesus, shall obtain a Plenary Indulgence. Whoever shall say any prayer before the preparation of Mass or Holy Communion, or the recitation of the Divine Office, or the Little Office of the Blessed Virgin Mary, shall gain an Indulgence of fifty days each time. Whoever visits the imprisoned or the sick in hospitals, and assists them, or gives instruction in the Christian faith in the Church,

[*Latin ed. p. 505*]

The Most Holy Congregation of the Holy Office has decreed that, either at home, teaching her children, relatives, and servants, she shall gain a plenary indulgence for each two hundred days. Whoever, at the sound of the church bell, in the morning, at midday, or in the evening, recites the customary prayers, namely the Angelus, or, not knowing them, recites the Our Father and the Hail Mary, or, likewise, at the first hour of the night, having heard the bell rung for the suffrage of the dead, recites the Psalm "De profundis," or, not knowing it, recites the Our Father and the Hail Mary, shall acquire a one hundred days' indulgence. He shall likewise gain the same indulgence who, on Saturday, devoutly considers the Passion and Death of our Lord Jesus Christ, and recites the Our Father and the Hail Mary three times. He who examines his conscience, and sincerely repents of his sins with the purpose of amending them, and devoutly recites the Our Father and the Hail Mary three times in honor of the Most Holy Trinity, or, in memory of the Five Wounds of our Lord Jesus Christ, recites the Our Father and the Hail Mary five times, shall acquire a one hundred days' indulgence. Whoever devoutly prays for the faithful who are in the midst of life, or at least recites the Our Father and the Hail Mary for them, shall gain a fifty days' indulgence. All the indulgences mentioned above can be gained by each Christian, either for themselves or applied for the relief of souls in Purgatory. The Supreme Pontiff expressly declared that the granting of the aforementioned indulgences does not in any way derogate from

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the indulgences already granted by his predecessors for some of the pious works mentioned above; and he wished that all these indulgences should remain fully in force. Furthermore, the same Supreme Pontiff commands that the indulgences granted to the faithful, who retain any of the aforementioned objects, shall not pass to the person for whom they were blessed, nor to those to whom they were first distributed, according to the decree of His Holiness Alexander VII, issued on February 6, 1657: and if one or the other of these objects is lost or lost, another shall not be substituted for it at will, notwithstanding any privileges and concessions to the contrary: nor can they be lent or given to others for the purpose of communicating the indulgence, otherwise they will lose the same indulgence. Furthermore, the aforementioned blessed objects, as long as they have received the papal blessing, cannot be sold, according to the decree of the Holy Congregation for the Protection of Indulgences and Sacred Relics, issued on June 5, 1721. Furthermore, the same Supreme Pontiff confirms the decree of His Holiness Benedict XIV, issued on August 19, 1752, in which it is expressly declared, according to the *Acta* volume VI, number 15.

[*Latin ed. p. 506*]

506 Acta Apostolicae Sedis - Official Commentary on the decrees concerning crucifixes, medals, etc., as explained above, should not be understood to grant a privilege to altars where such objects are placed, nor to Masses celebrated by a priest carrying them. Furthermore, it is forbidden that, when assisting the dying, blessings with a Plenary Indulgence in articulo mortis be imparted to them with such crucifixes, without a special faculty expressly obtained in writing, since the same Pope Benedict XIV provided sufficiently for this in the aforementioned Constitution *Pia Mater*. Finally, His Holiness desires and commands that the present list of Indulgences be printed for the greater benefit of the faithful, not only in the Latin language or Italian, but in any other language, provided that for each list, wherever and in whatever language it is published, the approval of the Holy Congregation of the Holy Office be attached. Notwithstanding any decree, constitution, or provision to the contrary, even if specially mentioned. Given in Rome, from the offices of the Holy Office, on the 5th of September, 1914. L. $ S. ●f DONATUS, Archbishop of Italica, Assistant of the Holy Office.

II. DECREE: An Indulgence is granted to those who recite certain prayers during times of calamity. From the audience of His Holiness, on the 12th of August, 1914. His Holiness, Pope Pius, of divine providence, Pope X, in order to encourage the faithful to offer devotion to God during times of calamity, has graciously granted an Indulgence of three hundred days to all the Christian faithful who recite the prayers which are presented under the title *Orazioni in tempo di calamità*, no. 332, in the authentic *Sylloge Indulgentiarum*, approved by the Holy Congregation for Indulgences and

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Sacred Relics on the 23rd of July, 1898, instead of the Indulgence of sixty days granted by the Most Holy Pope Gregory XVI on the 21st of August, 1887. This present decree is valid in perpetuity, without any brief being required. Notwithstanding any contrary provisions. By order of His Eminence, the Cardinal Secretary. L. © S. f DONATUS, Archbishop of Italica, Assistant, Holy Office.

[*Latin ed. p. 507*]

Sacred Congregation of the Consistory.

ACTS OF THE CONSISTORY, AS PUBLISHED BY THE CONSISTORY ITSELF.

Rome, September 8, 1914.

The Holiness of Our Lord, BENEDICT XV, held a public Consistory this morning in the Vatican Apostolic Palace, to bestow the Cardinal's hat upon the Most Reverend and Illustrious Lords Cardinals: MENDES BELLO, GUISASOLA Y MENENDEZ, CSERNOCH, and PIFFL, who were appointed in the Secret Consistory of May 25th of the preceding year by the late Pope Pius X.

For this purpose, the Most Reverend and Illustrious Cardinals mentioned above, at 9:30 AM, went to the room called the Countess Matilde's Room, and there, in the presence of the Most Reverend and Illustrious Cardinals, Heads of Orders, the Chancellor of the Holy Roman Church, and the Chamberlain of the Sacred College, they took the oath according to the Apostolic Constitutions.

Meanwhile, HIS HOLINESS, accompanied by His Noble Court, emerged from His apartments and, in one of the rooms of the papal apartments, where an altar had been temporarily erected, He put on the sacred vestments and assumed the mitre.

Then, with the Most Reverend and Illustrious Cardinals FRANCESCO SALESIO DELLA VOLPE and OTTAVIO CAGIANO DE AZEVEDO, the first and second of the Order of Deacons, on either side, accompanied by His Noble Guard and escorted by the Swiss Guard, He proceeded to the Consistory Hall, where the Sacred College of Cardinals was already assembled, awaiting Him.

Upon the entrance of the HOLY FATHER into the Consistory Hall, the motet "Tu es Petrus" by the same Maestro Perosi was performed by the Papal Chapel Cantors, under the direction of their perpetual Director, Monsignor Lorenzo Perosi.

HIS HOLINESS seated Himself on the throne, with the two aforementioned Most Reverend and Illustrious Cardinal Deacons on either side, His Excellency, the Most Reverend Monsignor Ranuzzi de Bianchi,

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titular Archbishop of Tyre, His Chamberlain, the Illustrious and Reverend Monsignor Sanz de Samper, His Master of Ceremonies; the Illustrious and Reverend Monsignors, Secret Almoner and Sacristan; the Secret Chamberlains, Caccia-Dominioni, Gerlach, and Migone; the Major Usher; the Ca-

[*Latin ed. p. 508*]

508 Acta Apostolicae Sedis - Official Commentary on the Secret and Honorary Ceremonies of the Sword and Hat of Office, and the Dispensation from Office. After the Most Eminent and Reverend Lords Cardinals had rendered obedience to HIS HOLINESS, some of the Most Eminent and Reverend Cardinal Priests and Deacons went to the Hall of Countess Maud to receive the four Cardinals who were to receive the Hat, and they accompanied them to the Consistory Hall, where they presented themselves to the Throne of HIS HOLINESS, kissed His foot and hand, and received His blessing, and then received the blessing of their Most Eminent Colleagues, while the Chapel Cantors performed the motet "Sicut cervus" by Palestrina. They then returned to the Papal Throne and received the Cardinal's Hat, which HIS HOLINESS, assisted by the Prefect of the Pontifical Ceremonies, the Most Reverend Monsignor Francesco Riggi, assisted by the other Masters of the same College, placed upon them with the customary formalities. During this ceremony, the Reverend Consistory Advocate, Count Comm. Carlo Santucci, for the first time, presented the Cause for the Beatification and Canonization of the Venerable Servant of God, John Bosco. Afterwards, at the command of the Prefect of the Pontifical Ceremonies, "Extra omnes," the Secret Consistory took place in the same Hall, in which the HOLY FATHER, after closing his mouth, as is customary, proposed the following appointments to the Churches to the Most Eminent and Reverend new Cardinals: the Metropolitan Church of Bologna, for the Most Reverend Monsignor GIORGIO GUSMINI, promoted from the episcopal Church of Foligno. Then HIS HOLINESS announced the appointments to the following Churches, already made by Bull or Brief: the united Metropolitan Churches of Gnesen and Posen, for the Most Reverend Monsignor EDOARDO LIKOWSKI, promoted from the titular episcopal Church of Aureliopolis. The titular Archbishopric of Philippi, for the Most Reverend Monsignor ANGELO STRUFFOLINI, promoted from the sees of Ascoli Satriano and Cerignola. The titular Archbishopric of Seleucia, for the Most Reverend Monsignor PAOLO EUGENIO ROY, auxiliary of Quebec, promoted from the titular episcopal Church of Eleuteropolis. The titular Archbishopric of Corinth, for the Most Reverend Monsignor BONAVENTURA CERRETTI, transferred from the Archbishopric of Philippopolis. The titular Bishopric of Tabe, for the Most Reverend Monsignor GIOVANNI MARIA ALESSANDRO MORICE, transferred from Les Cayes. The titular Bishopric of Tagaste, for the

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Reverend PATRIZIO GIUSEPPE HAYES, Chancellor of the Archdiocese of New-York, Dean of the Cathedral College, and

[*Latin ed. p. 509*]

The Sacred Congregation Consistorial appointed:

The Reverend Monsignor Giacomo Villanova, transferred from Mopsuestia, as Auxiliary Bishop of the Cathedral Church of Saint Anne in Central America.

The Reverend William Berning, of the same diocese, Doctor of Sacred Theology, as Auxiliary Bishop of the Cathedral Church of Osnabrück.

The Reverend Ernesto Neveux, General Vicar of Rheims, appointed Auxiliary Bishop of the titular Bishopric of Arsinoe, serving the Most Reverend Archbishop of Rheims.

The Reverend Edward Solar Vicuña, Archdeacon of the Cathedral of La Serena, appointed Auxiliary Bishop of the titular Bishopric of Selge, serving the Bishop of La Serena.

The Reverend Monsignor Adolfo Bertram, transferred from the See of Hildesheim, as Auxiliary Bishop of the Cathedral Church of Breslau.

The Reverend Francesco Saverio Irastorza y Loinoz, Archpriest and General Vicar of Ciudad Real, Doctor of Sacred Theology and Canon Law, appointed Prior of the Spanish military orders in the province of Ciudad Real, as Auxiliary Bishop of the titular Bishopric of Dora.

The Reverend John Toner, Canon of Glasgow, as Auxiliary Bishop of the Cathedral Church of Dunkeld.

The Reverend Monsignor Adolfo Turchi, transferred from the Cathedral Church of Caiazzo, and appointed Secretary of the Sacred Congregation of Religious, as Auxiliary Bishop of the titular Bishopric of Canopus.

The Reverend Adriano Pietro Hopmans, Vicar and Canon of the same diocese of Breda, as Auxiliary Bishop of the united Cathedral Churches of Viterbo and Toscanella.

The Reverend Father Pacifico da Seggiano, formerly known as Celso Carletti, former General of the Capuchins, as Auxiliary Bishop of the Cathedral Church of Albenga.

The Reverend Francesco D'Errico, Archpriest Parochial of the Cathedral of Albano Laziale, as Auxiliary Bishop of the Cathedral Church of Alghero.

The Reverend Emanuele Raimondo de Mello, General Vicar of Aracaju and Extraordinary Chamberlain to His Holiness, as Auxiliary Bishop of the Cathedral Church of Caetité.

The Reverend Father Hanna (John) Nissaü, as Auxiliary Bishop of the Cathedral Church of Sehna of the Chaldean rite.

The Reverend Monsignor Thomas Giuseppe Shahan, Rector of the Catholic University of Washington, as Auxiliary Bishop of the titular

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Bishopric of Germanicopolis.

The Reverend Monsignor John Ireneo Joffily, Archdiocesan of Parahyba, where he is Rector of the Diocesan College, Domestic Prelate of His Holiness, appointed Auxiliary Bishop of Olinda, for the titular Bishopric of Bufetnia.

The Reverend Father Carlo Cox, of the Oblates of the Immaculate Mary, appointed Apostolic Vicar of the Transvaal, for the titular Bishopric of Dioclea.

The Reverend Father Alessandro Chulaparambil, appointed Apostolic Vicar of Kottayam, for the titular Bishopric of Busiri.

[*Latin ed. p. 510*]

510 Acta Apostolicae Sedis - Official Commentary. The titular church of Cotieo has been assigned to the Reverend Father Adolfo Rayssac, of the Foreign Missions of Paris, who has been appointed Apostolic Vicar of the newly established Vicariate of Tchao-tehiou. The titular church of Chitrea has been assigned to the Reverend Father Augusto Fortineau, of the Congregation of the Holy Spirit, who has been appointed Coadjutor with right of succession to the Apostolic Vicariate of Diego Suarez in Madagascar. The titular church of Cuse has been assigned to the Reverend Father Vincenzo Francesco Sage, of the Foreign Missions of Paris, who has been appointed Coadjutor with right of succession to the Apostolic Vicar of Southern Manchuria. The titular church of Docimeo has been assigned to the Reverend Father Filippo Olaiz-Zabalza, of the Capuchin Fathers, who has been appointed Apostolic Vicar of Guam.

Following this, HIS HOLINESS, as is customary, addressed the newly created Cardinals. Then, the petition for the granting of the sacred Pallium to the Metropolitan Sees of Bologna and of Gnesen-Posen was presented to HIS HOLINESS by the Consistorial Advocate, Mr. Filippo Pacelli, Dean of the College of Consistorial Advocates. Finally, the Holy Father placed the Cardinal's ring upon the aforementioned Cardinals, and assigned: To His Eminence Mendes Bello, the titular church of the Saints Marcellinus and Peter. To His Eminence Guisasola, the titular church of the Four Crowned Saints. To His Eminence Csernoch, the titular church of Saint Eusebius. To His Eminence Pifl, the titular church of Saint Mark.

Thereafter, the doors of the Consistory Hall were opened, and the Te Deum was sung, which was continued by the Chapel Singers, and during which HIS HOLINESS remained standing before the Throne. Upon the completion of the Ambrosian Hymn, the Cardinals who had received the red hat knelt, and His Eminence and Reverend Cardinal Sub-Dean recited the prayer "super creatos Cardinales." Then, HIS HOLINESS imparted the Apostolic Blessing, and then departed from the Hall, followed by the Eminent and Reverend Cardinals, while the Chapel Singers repeated "Tu es

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Petrus."

[*Latin ed. p. 511*]

From the Roman Curial Diary 511. DIARIUM ROMANAE CURIAE. By His venerated Chirograph, dated September 4, 1914, the Holy Father, BENEDICT XV, happily reigning, deigned to appoint the Most Reverend Cardinal Domenico Ferrata as His Secretary of State. With a note from the Secretariat of State, dated September 8, the same Holy Father, BENEDICT XV, benignly deigned to assign the following Sacred Congregations to the Most Reverend and Most Illustrious Cardinals who, on the same day, received the Cardinal's hat in the Consistory: To the Cardinal Anthony Mendes Bello, Patriarch of Lisbon, the Sacred Congregations of the Council and of Religious. To the Cardinal Vittoriano Guisasola y Menendez, Archbishop of Toledo, the Sacred Congregations of the Sacraments and of the Index. To the Cardinal Giovanni Csernoch, Archbishop of Strigonia, the Sacred Congregations of the Consistory and of Studies. To the Cardinal Gustavo Pini, Archbishop of Vienna, the Sacred Congregations of the Consistory and of the Council. With notes from the Secretariat of State, the same Holy Father deigned to appoint: September 5, 1914. — The Most Reverend Monsignors Camillo Caccia-Dominioni, Alberto Arborio Mella di Sant'Elia, Rodolfo Gerlach, and Giuseppe Migone, Secret Chamberlains of His Holiness. September 7. — Monsignor Vittorio Amedeo Ranuzzi de' Bianchi, titular Archbishop of Tyre, Chamberlain of His Holiness. — Monsignor Riccardo Sanz de Samper, Master of the Chamber of His Holiness. — Monsignor Luigi Misciattelli, Vice-Prefect of the Sacred Apostolic Palaces and Palatine Prelate. September 10. — The Honorable Marquess Francesco Serlupi-Crescenzi, Knight Commander of His Holiness. September 13. — Monsignor Vincenzo Sardi, titular Archbishop of Caesarea, Consultor of the Sacred Congregation of Propaganda Fide for affairs concerning the Oriental Rite.

[*Latin ed. p. 512*]

512 Acta Apostolicae Sedis - Official Commentary. From the tickets of the Secretariat of State, the Most Holy Father Pius X, of blessed memory, deigned to appoint:

Secret Chamberlains, extraordinary: July 24, 1914. — Mons. Riccardo Rodríguez Palma, of the diocese of Madrid. July 25. — Mons. Giuseppe Vida, of the diocese of Veszprém. — Mons. Giuseppe Pályi, of the same diocese. — Mons. Vittore Radványi, of the same diocese.

Honorary Chamberlains, wearing the purple cassock of His Holiness: August 8, 1914. — Mons. Giovanni Thunnissen, of the diocese of Harlem.

Honorary Secret Chaplains of His Holiness: July 25, 1914. — Mons. Antonio Strausz, of the diocese of Veszprém. — Mons. Ludovico Vegele, of the same diocese.

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Honorary Chaplains beyond the city of His Holiness: August 8, 1914. — Mons. Luigi Grillini, episcopal delegate in the diocese of Sabina.

Secret Chamberlain of Sword and Cape, extraordinary, of His Holiness: August 2, 1914. — The Most Noble Count Gabriele Edoardo Espierre, of the diocese of Luçon.

NECROLOGY: August 22, 1914. — Mons. Giacomo Radini-Tedeschi, Bishop of Bergamo. August 23. — Mons. Antonio Contini, formerly Bishop of Ampuria and Tempio. September 6. — Mons. Luigi Filippo Schaefer, titular Bishop of Ahila, Apostolic Vicar of Saxony. September 8. — Mons. Igino Bandi, Bishop of Tortona.

[*Latin ed. p. 513*]

October 16, 1914. Year VI. - Vol. VI. No. 16. ACTA APOTOLICAE SEDIS. OFFICIAL COMMENTARY. ACTS OF POPE BENEDICT XV. LETTER I TO CARDINAL ANTONIUS MENDES, PATRIARCH OF OLISSIPO, IN THANKS FOR MOST DEVOUT LETTERS PRESENTED TO THE BLESSED FATHER.

Beloved Son, health and the apostolic blessing. – We have received your letters, filled with love and devotion, and it has been most pleasing to Us, scarcely having been called to the summit of this apostolic See, to receive so abundant a manifestation of your will, by the counsel of divine Providence.

Indeed, you know how We feel towards you, from the charity with which We have embraced you in previous days; you also know from the diligent care with which We have conferred upon you, chosen by Our predecessor, the insignia of the highest dignity in the College of Cardinals.

The generous intentions which you have revealed to Us, that whatever strength you possess will be devoted to safeguarding and promoting the Catholic cause, have, although We had foreseen it, increased Our esteem for your virtue; and We pray that God, the author of wholesome counsels, may be so present to you that, from your active charity and prudence, the afflicted Church may receive great benefit, and that We may have much cause for joy in the Lord.

In the meantime, may the blessing of divine gifts and the witness of Our apostolic benevolence be with you, beloved Son, and with your clergy and people, which We impart to you wholeheartedly in the Lord.

Given in Rome, at St. Peter's, on the twenty-first day of September, in the year 1914, in the first year of Our pontificate.

BENEDICT XV.

ACTS, Vol. VI, No. 16. – 16-10-1914. 37

[*Latin ed. p. 514*]

514 Acta Apostolicae Sedis - Official Commentary II TO FRANCIS, Most

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Reverend Cardinal Dubillard, Archbishop of Chambéry, with filial obedience and due reverence, we offer our greetings. Beloved Son, receive our blessings and apostolic benediction. — We gladly accept the expression of your will: we trust that you will join your auspicious wishes, offered to Us, with pious prayers to God, and that you will obtain for Us the strength necessary to bear this most serious burden. Know that we strive to fulfill the divine will, placing all our resources in Him from whom we have received grace and the apostolate, and that we desire, and strive only, to provide a useful ministry to the Church of Christ, which progresses through so many adversities. We thank you for the services you have rendered, as is fitting, and we bestow upon you, beloved Son, and your entire flock, our apostolic benediction, a pledge of heavenly favor and a testament to our benevolence. Given in Rome, at St. Peter's, on the twenty-seventh day of September, in the year 1914, in the first year of Our Pontificate. BENEDICT XV. 18 TO Reverend Father Francis Xavier Schoepfer, Bishop of Tarbes and Lourdes, greetings and congratulations on the successful Eucharistic Congress of Lourdes. Venerable Brother, receive our greetings and apostolic benediction. — In the coming days, we have been informed by our beloved Son, Cardinal Januarius Granito di Belmonte—as we have already learned from public announcements and from the words of many—that the Eucharistic Congress of Lourdes, which you presided over as our legate, in place of the lamented Pope Pius X, has taken place very well, splendidly, and with great hope for excellent results. This, indeed, is not surprising to anyone who possesses faith.

[*Latin ed. p. 515*]

The Acts of Pope Benedict XV, number 515, attest to the fervor with which he experienced charity, moved by the sanctity and renown of this place, or have known and cherish your own zeal and dedication, venerable Brother, and that of the most distinguished men who have labored with you in preparing for this event. Indeed, both have been made manifest to Us; and We have often recalled, with great longing, the previous year, when it was granted to Us to spend a few days in the most noble shrine of the Immaculate Mother of God, and to experience a certain new sweetness in the continuation of the sacred ceremonies. And We desired to revisit this, as it were, seat of the mercies of Mary, as soon as We could; but, since Almighty God has willed that We, though undeserving, should be placed in this Apostolic dignity, We are content to have come here once; which has not yet happened to any of Our predecessors. Indeed, since the greatest of all evils that afflict human society is to be alienated from Christ, and the path, as it were, a shortcut to Jesus, lies through Mary, We earnestly desire that the deliberations held here in honor of the Eucharist may bear this fruit above all others: that, through the patronage of the Virgin of Lourdes, the worship of the august Sacrament may be spread more and

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more throughout the world. This, especially, We desire to see accomplished in Gallia; for We hold the salvation and prosperity of the Gallic people dear, no less than Our predecessors. Furthermore, the Cardinal Legate brought to Us accounts of the excellent documents presented by the most numerous assembly, concerning piety towards the divine Eucharist and towards the most blessed Mother of God, and also of the common resolutions adopted to promote this piety in every way; these are certainly a happy sign that what We hope for is being realized. Therefore, We commend your diligence, venerable Brother, and that of those who have labored with you in this undertaking, and We bestow upon you and all who have gathered here, as a pledge of divine blessings and as a testament of Our paternal benevolence, Our most loving Apostolic blessing. Given at Rome, at St. Peter's, on the twenty-fourth day of the month of September, in the year 1914, in the first year of Our pontificate. BENEDICT XV, POPE.

[*Latin ed. p. 516*]

516 Acta Apostolicae Sedis - Commentarium Officiale. SACRA ROMANA ROTA OREGONOPOLITANA DE NULLITATIBUS MATRIMONII (DINA SMITH-ABNER O'KIEFFE). Sub Pio Papa X, feliciter regnante, in undecimo anno Pontificatus Dominationis Suae, die 6 Iulii 1914, Reverendissimorum Dominorum, Ioannes Prior, Ponens, Aloisius Sincero et Iosephus Mori, Auditores de Tournon, in causa Oregonopolitana de Nullitate matrimonii, inter Dinam Smith, appellantem, repraesentatam per legitimum procuratorem ex officio deputatum, A. D'Alessandri, advocatum, et Abnerum O'Kiefte, contumacem, interveniente et disceptante in causa Vinculi Defensore ex officio, protulerunt sententiam definitivam. Dina Smith, dum 16 annorum erat, primo cognovit virum, Abnerum O'Kiefte, atque sensim intimiori facta consuetudine inter illos, duos post annos spes utrique arridebat amores inceptos matrimonio complendi. Resistebant vero Dinae parentes catholici, eo quod vir omnino irreligiosus erat, et ne baptizatus quidem fuerat. Mortuo puellae patre, mater tandem instabat ut filia omne consortium cum Abnero abscinderet, nisi hic sacro baptismate ablueretur. Ne nuptiis optatis renuntiare teneretur, vir consensit, et die 17 Martii 1895 baptismum recepit, atque die 8 mensis Octobris subsequentis in ecclesia Ssñii Rosarii apud Pine Ridge cum Dina, vigesimum tunc annum agente, in matrimonio coniunctus est. Vita tamen coniugalis haud feliciter processit, et quinque post menses Abner uxorem deseruit, et alteri mulieri serius adhaesit. Tandem et ipsa Dina amorem vertit in alium virum, cum quo nuptias inire cupit, ac proinde a curia Oregonopolitana petiit, ut primum suum matrimonium irritum declararetur ex capite simulati consensus ex parte viri: sententia autem Curiae in favorem vinculi emissa est. Appellante muliere ad S. N. Ordinem, quaestio nobis proponitur sub dubio consueto: An constet de matrimonii nullitate in casu? In iure. Fictus seu simulatus consensus habetur quando

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Contrahens externe quidem verba consensum exprimentia serio et rite profert, interne autem non consentit. Cum contractus matrimonialis de essentia.

[*Latin ed. p. 517*]

In the Roman Rota, it is held that if a marriage is to be valid, it must be voluntary and free, and the act itself, expressing the will, must be completed; otherwise, a lack of internal consent renders it null according to the law of nature. Innocent III, in chapter 26 of *De Sponsalibus*, states: "If the case is such that he did not intend to take her as his wife, nor ever consented to marry that particular person, then that act should not be considered a marriage, because neither the substance of the marriage contract nor the form of contracting marriage can be found; for on the one hand, there was only deceit, and on the other hand, there was a complete lack of consent, without which the marriage contract cannot be perfected." See also Coscius, *De separ. thori*, book 1, chapter 8, paragraphs 96 and following; Sánchez, book 2, section 25, paragraphs 2 and 3; Gasparri, volume 2, paragraphs 908 and following, edition of 1904.

However, a feigned consent is difficult to prove, as noted in the Glossa in the aforementioned chapter 26 of *De Sponsalibus*, concerning the words "woman": "But suppose that someone declares before many that everything he will say or do, he will not do with the intention of contracting marriage, and then publicly says: 'I consent to you'; is this a marriage, or not? In this case, I say that the Church ought to judge it to be a marriage, because one must refer to the common understanding of words... For such words cannot always mean what they seem to mean; moreover, if it is proven that those words were first uttered with a protest, he may have subsequently withdrawn from that intention and consented to the marriage, and this is evident from what he did afterwards; and if he says that at that time he was still in the same intention, he is not believed, because, in the case of one who uses deceit, the interpretation must be against him...".

Although this rule of the Glossa should not be applied too rigidly, as it seems to exclude even those proofs that generate moral certainty, the presumptions of law and the favor that marriage enjoys dictate that a marriage, once properly expressed, is to be considered true and not feigned. As D'Annibale notes from Roman Law (volume 2, paragraph 412, note 45): "No one is to be considered to have said what he did not intend (L. 7, *De suppel. legat.*), even if he himself affirms it (Ex 1, 5, *De Probat. C. 5. eod. tit.*; Lugo, 22, 48), nor should he be believed (L. 13 *C. Non num. peo.*), unless a just and urgent cause suggests it."

In the forum of conscience, it is certainly possible to believe someone who claims to have feigned consent, because there, the matter at hand is the spiritual good of the penitent, and the principle "one must believe the confessor both for and against himself" prevails; but in the external forum,

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the matter at hand is the administration of justice to one who seeks his right, and one must adhere to what is alleged and proven (Sánchez, section 45, paragraph 2). To prove a simulation, it is necessary to establish, above all, the cause of the simulation (Coscius, *De separ. thori*, book 1, chapter 8, paragraph 100; Gasparri, volume 2, paragraph 912, edition of 1904; Rota, decision 13, paragraph 6, page 19, volume 2); which...

[*Latin ed. p. 518*]

518 Acta Apostolicae Sedis – A formal record must be established, or such a record that, considering its nature and circumstances, it can lead the parties to complete the marriage. A cause for such a record must indeed be of considerable and urgent importance in the estimation of the party, since, by fulfilling the external rite, the party is bound by both civil and ecclesiastical law to assume all the obligations of marriage, until the defect of their internal consent is irrefutably proven in the external forum. Once the cause of simulation is known, the simulated consent must be confirmed by conjectures and presumptions, which are drawn from various circumstances of the marriage, whether antecedent, concurrent, or subsequent. In fact, no cause of simulation is presented in the records that can be considered proportionate or adequate in the estimation of the man entering into the marriage. Two are indicated by the witnesses: 1) The first, by the testimony of the Reverend Father Ñamara, heard many years after the marriage was contracted: in a letter to the plaintiff, he writes: "I met Mr. O'Kieffe and he told me that he had deceived you and that he never 'intended to live with you, but simply to marry' you in order to become rich." Indeed, it is not evident from the records that the woman was wealthy; and no argument has been presented to prove that her financial condition was worsened after the marriage, so that the woman is declared by herself, by the priest Father Ñamara, and by the court of Oregonopolis, to have been granted free legal assistance by the Most Holy Tribunal. 2) The second cause of simulation is assigned by the same priest with these words: "Before his marriage to his current wife, he said to her: 'Dinah Smith embarrassed me to death, and I married her to get rid of her.'" The same is testified by John Riggs. However, this reason cannot be admitted as a cause of simulation, since it is entirely absurd in relation to the purpose of the man; for no sane person could think that they would be freed from the annoyances of a woman by entering into a close marital union with her, a union protected by public laws, both civil and ecclesiastical. At most, it can be said that the man, hesitant to enter into the marriage, yielded to the insistence of the woman in order to bring the marriage to fruition. Lacking a proportionate cause of simulation, it cannot be proven that the consent was simulated. Furthermore, there are facts in the circumstances of the marriage that suggest that Abner O'Kieffe gave true marital consent. The parties had, for two and a half years before the wedding, maintained a familiar relationship with each other: the man

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overcame obstacles to the marriage with a firm spirit; indeed, the girl's parents opposed the union.

[*Latin ed. p. 519*]

The Roman Rota, case 519, states that Abner, who was not a Catholic, after the death of the girl's father, peremptorily ordered her to break off all relations with any man, unless he would receive baptism; and so, although his character was irreligious, as almost all witnesses affirm, he received baptism, as the actress narrates, for the purpose of being able to marry her. The marriage was consummated spontaneously by both parties, and they cohabited for five months, with only brief interruptions. Therefore, it cannot be doubted that the man intended to enter into marriage; and consequently, the head of the accusation, based on simulated consent, must be amended. However, it is not therefore clear that the marriage is valid in every respect. Several witnesses, both orally and in writing, under oath, declare that the man, even before the marriage, said that he had no intention of cohabiting with Dina Smith, but rather of abandoning her. Thus, I. F. Wasmund, John and Anne Riggs, N. F. Wasmund, George A. O. Kieffe, and G. R. Neach. The authors teach that the intention of entering into a marriage can be combined with the intention of not obliging oneself in any way, and, according to several highly authoritative doctors, a marriage contracted with such an intention is invalid. (D'Annib., vol. 2, n. 402; Gasparri, vol. 2, n. 919). Gasparri, in the aforementioned passage, states: "If the contracting party does indeed have the intention of entering into marriage, but at the same time has an explicit and positive intention of not obliging himself in any way; that is, he does not want to give or accept the right of intercourse; or he wants to give or accept it, but his intention excludes or limits its effect with regard to offspring, or perpetuity, or unity, saying, not merely interpretively, but positively, in his mind: 'I want to enter into marriage, but I do not want to give the perpetual and exclusive right:' it is certain that this contracting party sins in general; moreover, the marriage is completely null and void due to a lack of consent." However, when the simple intention of the contracting party is contrary to the good of the Sacrament, or to the indissolubility of marriage, it must be judged differently from the intention contrary to the good of faith or of offspring; it is therefore advisable to be more explicit in the law on this matter. He who initiates a marriage, intending positively, not merely interpretively, to contract a marriage that is dissoluble for any reason, does not contract a marriage at all, even if this intention is not included in the agreement between the parties; because there would be lacking the substantial object of the matrimonial contract, namely, the perpetual and exclusive right to use the body for the purpose of procreation. This is commonly taught by the authors: Sánchez, lib. 2, disp. 29, n. 11 and 12; lib. 5, disp. 12, n. 5; Gonzales in tit. De condit, app., cap. 7, n. 9; De Lugo, Disp. Scolasi, De Sacram, in gener., disp. 9, sect. 8, n. 130;

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Gasparri, vol. 2, n. 919, and ed. 1904; Wernz, Ius matr., vol. 302, note 44, "d. 1911; Balle-

[*Latin ed. p. 520*]

520 Acta Apostolicae Sedis - Commentarium Officiale rini-Gury, vol. 2, no. 152, note a), p. 510, edition of 1869; Ballerini-Palmieri, Opus morale, vol. 6, no. 492 and following, edition of 1892 (Cf. Nicene Council, before Many, ThaonAiard). Wernz, for example, states in book 1, chapter 1: "But if, with the intention, either of one party, of celebrating marriage only for a time, or as a temporary, or separable marriage, contrary to the good of the Sacrament, even without a pact, the validity of the marriage does not consist." On the contrary, an intention contrary to good faith or procreation does not invalidate the marriage contract, unless it has been stipulated in a pact. This difference depends on the different relationship that exists between the marriage contract and the goods of good faith or procreation, on the one hand, and, on the other hand, between the contract and the good of the Sacrament, or the indissolubility of the bond. The indissolubility of the bond pertains to the very essence of marriage, while the good of good faith and procreation pertain to the use of marriage, not to its essence, as St. Thomas states, cited by Sanchez, book 2, dispute 19, no. 12 and following, who follows the teaching of the Angelic Doctor; therefore, marriage can exist without these goods, whereas it cannot exist without the indissolubility of the bond. In its nature, indissolubility is a constitutive part of the marriage contract, and if it is excluded, the marriage contract itself is also excluded. To introduce a condition into the marriage contract means nothing other than to make that condition a constitutive part of the marriage contract (cf. Wernz, loc. cit.); if, on the other hand, a dissoluble bond is positively intended, then, by its very nature, it is a constitutive part of the contract; if, on the other hand, a condition contrary to the good of good faith or procreation is also positively intended, it does not, by its very nature, enter into the contract, because the good of good faith and procreation follows the contract in its already established existence; therefore, in order for such a condition to enter into the contract itself, and consequently to invalidate it, a special act of the will is required, by which not only is the condition contrary to the good of good faith and procreation positively intended, but also that it is intended in such a way that it prevails over the general intention of entering into marriage as it is ordinarily contracted, that is, as instituted by God, or according to the law of Christ, or according to Catholic doctrine; it prevails over this general intention to the extent that the consent given in marriage in its essence depends on the condition contrary to the good of good faith or procreation. This doctrine is evident from the distinction commonly made by more recent authors between the assumption of an obligation with regard to the good of good faith and procreation, and the fulfillment of the assumed obligation; this distinction

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is based on the one discussed by Sanchez (book 2, dispute 29, no. 12) between "obligation and execution," or on the older one of St. Thomas, cited by Sanchez, ibid., between the good of good faith and procreation considered "in principles and in themselves": they say that conditions imposed (Gregory P., chapter 7, X, ibid.) "if you avoid generation," "if for gain, you must commit adultery."

[*Latin ed. p. 521*]

"S. Bomana Bota, I give you this," means that these things must be understood generally concerning the intention against the fulfillment of an assumed obligation, because in this way two contrary acts of the will can be reconciled, namely, acts contrary in part to the objects, which are somewhat opposed to each other, but do not necessarily exclude each other; for both of these acts of the will can remain simultaneously in their being; that is, with one act of the will, the very matrimonial contract is intended, while with the other, some good (of faith or of offspring) is excluded, which should flow from the very contract itself. However, there is no place for this distinction with regard to the Sacrament, or the indissolubility of the bond; here, the assumption of the obligation and the fulfillment of the assumed obligation are identified in the very positive act of the will by which the perpetual bond is intended. Therefore, if a man truly intends the matrimonial contract, i.e., the indissoluble bond, and at the same time intends to reject his wife in certain circumstances and to adhere to another woman, he directly sins against the good of faith or fidelity (Sánchez, op. cit.), but the bond remains intact; but if it is said that he reserves the power to reject his wife in certain circumstances and to violate the bond itself, then he no longer intends to contract the indissoluble bond, or to grant and accept a perpetual and exclusive right: these two acts of the will, namely, mutually exclude each other, because they are not only contrary, but contrary concerning the same object; for with one, the indissoluble bond is intended, and with the other, the very same indissoluble bond is excluded. Therefore, Sánchez, loc. cit., says: "However, it must be observed that it is one thing to 'feel' about the three goods of marriage, with regard to the obligation and with regard to the execution: for with regard to the obligation, all of these are of the essence of marriage... But if these are considered with regard to the execution and in themselves, then the good of the Sacrament, which is the indissoluble bond, is of the essence of the Sacrament; but faith and offspring, as D. Thomas notes there, are not. Hence it happens that an intention contrary to the good of the Sacrament invalidates the marriage: but not an intention contrary to the good of faith and offspring: but if the intention were contrary to the good of faith and offspring in its own principles, it would also invalidate the marriage..." It is answered, that it does not pertain to the good of the Sacrament not to be separated from the wife with regard to the flesh, but only that the bond be indissoluble;

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but that it pertains to the good of faith and offspring, or rather, only to the obligation to observe them, but also to the execution of those very goods, and therefore St. Thomas rightly says that the good of the Sacrament is always of the essence: but the other goods are not, and in this lies the difference." Nevertheless, it cannot be denied that pontifical documents and grave authors have declared that the condition of dissolving the marriage for adultery or other causes does not invalidate the contract unless it has been brought about by a pact. Thus, the response is...

[*Latin ed. p. 522*]

Acta Apostolicae Sedis - Official Commentary of the Holy Office, dated October 2, 1680, concerning a doubt proposed by the Bishop of Born: "Whether a marriage is valid when entered into with the intention of dissolving or merely 'selling' the marriage?" Response: "If these [intentions] are included in the agreement," or "if these conditions are stipulated, the marriages are null; otherwise, they are 'valid'" (Collectanea Propria, vol. 2, p. 83; instruction of the Holy Office, dated December 9, 1874). Furthermore, several times in the instruction of the same Holy Office, dated December 18, 1872, addressed to the Vicariate Apostolic of Central Oceania (Collectanea Propria, vol. 2, p. 57, 59). Wernz, in the cited passage, also states this. In these documents, it is clear from the context that the distinction is not between a party who simply has a positive intention of dissolving the marriage, on the one hand, and a party who has such a positive intention included in the agreement, on the other, but rather between one who enters into the marriage with a concurrent error regarding the indissolubility of the bond, an error present in the mind, but who does not, in fact, positively intend to dissolve the marriage, and, on the other hand, a party who has a positive intention of dissolving the marriage. Thus, the aforementioned instruction of the Holy Office, dated December 9, 1874, states: "Indeed, A.T. knows very well this error present in the mind, which is not included in the agreement, does not invalidate the marriage, as this Sacred Congregation has often declared with clear and well-reasoned words." And the other instruction of the Holy Office, dated December 18, 1872, states: "From this, it appears that this has been transmitted: an error present in the mind, which, however, is not included in the agreement or condition, does not invalidate its validity, and renders it invalid only in that case, when, considering the circumstances used in the actual contracting, it can rightly be said to have been included in the agreement." Similarly, the Letters of Pope Pius VI, dated July 11, 1789, addressed to the Archbishop of Pragensem: "Nor is there a close reason why the intention of contracting according to the decrees of the sect or the law permitting the dissolution of marriage does not affect its validity, provided it is not included in the agreement; indeed, because even non-Catholics, deceived by a vain error, believe that the dissolution of marriage

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does not contradict the law of Christ, hence, 'in their minds, because of that false estimation, the intention of contracting according to such laws or the decrees of the sect, does not exclude the primary intention of contracting according to the divine law confirmed by Christ.'" Indeed, the intention of dissolving the marriage is included in the agreement precisely because it is positively intended, since nothing else is required to make it a constitutive part of the contract; to include a condition in the agreement, as we have already indicated from Wernz above, means to make it the same constitutive part of the contract; not, however, the intention of contracting with a condition against good faith or the procreation of children, because even if this condition is positively intended, it is not, by itself, a constitutive part of the contract; it can be intended in such a way that...

[*Latin ed. p. 523*]

The Roman Rota, in case 523, has ruled that the intention of contracting a true marriage must coexist, namely, if this condition merely refers to the fulfillment of an assumed obligation (Cf. Benedict XIV, *De Synodo*, book 13, chapter 22, paragraph 7). From the testimonies of witnesses, it cannot be denied that Abner O'Kieffe had the intention of contracting a marriage only for a time, or a dissoluble marriage. When asked, "Did he ever tell you that if he married you, it would not be a bond?" the woman replied: "No, otherwise I would not have married him." From the words of the man himself, given to the witness Camillo Dieriew one or two weeks after the marriage, it appears that he contracted the marriage as others ordinarily do: he said, "He didn't want to marry, but she wanted to; it doesn't matter, we are married anyway." He manifested the intention of abandoning his wife, if she did not please him, as reported by the witness William Wasmund; others heard him state the same unconditionally. However, it is doubtful whether he seriously intended this: Anne Chamberlain testified that he said this "jokingly"; and Abner's closest friend, namely William Wasmund, testified: "It was difficult to say when he said something, whether he said it seriously or not." Indeed, the events immediately following the marriage show rather that he did not have a serious intention of never cohabiting with the woman. For the marriage was immediately consummated, and he cohabited with his wife for five months. It appears that the man, due to differences in religion and morals, foresaw an unhappy outcome for the marriage, and he was so disposed in mind that he would induce a separation from bed and board, rather than indulging in arguments, by his own authority and judgment, in which he also believed that his wife, weary of the vexations, would cooperate. Abner confesses: "Finally, I decided to marry her, but I expressed my intention that, 'if I could not avoid the marriage, I would marry her and leave her as soon as I saw the opportunity, thinking that she would be so disgusted with me that she would not follow me... she was a Catholic too fervent, and that (he) hated the Church, and that if

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he 'stayed with her, she would be driven to leave the Church.'" Shortly after the marriage, according to the witness Camillo Dieriew, Abner said: "I can stay with her, if everything proceeds according to my way. I will not 'quarrel with her, but I will abandon her instantly.'" The intention of making a separation from bed and board at his own discretion does not imply a dissoluble marriage on the part of the man, but it only proves that he intended not to fulfill the marital obligations, which, as we have already said, does not affect the validity of the marriage. Furthermore, as noted...

[*Latin ed. p. 524*]

Acta Apostolicae Sedis - Official Commentary 524 Gasparri (n. 1013, ed. 1904), the condition of perpetual non-cohabitation does not contradict the essence of marriage, but rather its integrity (vol. 1, n. 7), and sometimes marriages of conscience are permitted with this tacit or express condition. The woman's testimony, cited above, confirms that there is no question of an intention against the perpetuity of the marriage, which, when asked "Did you ever tell him that if he 'married' you, it would not have any binding force?", responded: "No, I would not have married him if he had not said so." Certainly, the man acted unjustly towards the woman, leading her with such a disposition of mind; and it is not undeservedly said by the same witness that he deceived her into marriage, and this is how her testimony should be understood: "that her 'consent'... was only a deception - that he deceived her, etc." Furthermore, the confession made by the spouses in the judicial inquiry itself, or made before it, but after the celebration of the marriage, to the extent that it contradicts the value of marriage, lacks all probative force (cap. 5, X, de eo qui, IV, 13; Wernz, n. 745, ed. 1911). Having considered all of this in law and in fact, invoking the name of Christ, We, the undersigned Auditors, sitting for the tribunal and having only God before our eyes, decree, declare, and definitively sentence, answering the proposed question negatively, that there is no nullity of the marriage in this case. Thus we pronounce, ordering the Ordinaries of the places and the officials of the tribunals to whom it pertains, to enforce this our definitive sentence, and against those who resist, to proceed according to the norms of the sacred canons, and especially cap. 3, sess. XXV, De Reform. Concilii Tridentini, using the executive and coercive means that may be more effective and appropriate for the circumstances. Rome, in the seat of the tribunal of the Holy Roman Rota, on the 6th of July, 1914. Ioannes Prior, Presiding. Aloysius Sincero. Joseph Mori. L.©S. From the Chancery, 22nd of July, 1914. Sac. T. Tani, Notary.

[*Latin ed. p. 525*]

•Diarium Romanae Curiae 525 DIARIUM ROMANAE CURIAE IN THE NAME OF With his most venerated Brief, dated October 13, 1914, the Holy Father, Pope BENEDICT XV, happily reigning, deigned to

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appoint the Most Reverend Cardinal Pietro Gasparri as His Secretary of State. By Briefs from the Secretariat of State, the Holy Father deigned to appoint: September 19, 1914. — The Most Reverend Cardinal Anthony Vico, Protector of the Institute of the Sisters of Saint Joseph, known as the Sisters of the Apparition, of Marseilles. September 24. — Monsignor Nicola Canali, Secretary of the Sacred Congregation for Ceremonial Matters. — Monsignor Frederick Tedeschini, Substitute of the Secretariat of State and Secretary of Ciphers. October 1. — Monsignor Luigi Cossio, Auditor of the Apostolic Delegation to the United States of America. October 3. — The Most Reverend Cardinal Filippo Giustini, Member of the Sacred Congregation of the Council. October 6. — Monsignor Pietro Alfonso Jorio, titular Archbishop of Nicomedia, Consultor of the Sacred Congregation Consistorial. October 14. — The Most Reverend Cardinal Raphael Merry del Val, Secretary of the Supreme Sacred Congregation of the Holy Office. — The Most Reverend Cardinal Filippo Giustini, Prefect of the Sacred Congregation of Sacraments. By Apostolic Briefs, the Holy Father Pope Pius X of blessed memory, deigned to appoint: Domestic Prelates of His Holiness: May 27, 1914. — Monsignor Giacomo J. Chittick, synodal examiner, and Monsignor Giovanni B. Peterson, rector of the seminary, of the Archdiocese of Boston. July 30. — Monsignor Saverio Carabellese, of the Diocese of Moffetta.

[*Latin ed. p. 526*]

526 Acta Apostolicae Sedis - Commentarium Officiale. With a Brief Apostolic document, the Most Holy Father BENEDICT XV, happily reigning, deigned to appoint: Apostolic Protonotaries, as if participating: September 19, 1914. — Mons. Giuseppe Modena, rector of the Seminary of Pisa, and Mons. Giuseppe Calandra, of the same archdiocese. September 22. — Mons. Eustachio Dugas, canon of the cathedral and vicar general of the diocese of Joliette. Domestic Prelates of His Holiness: September 23, 1914. — Mons. Carlo Edoardo Tanguay, procurator of the seminary of Sherbrooke. — Mons. Francesco Saverio Pietté, canon and curate of the cathedral of Joliette. September 24. — Mons. Edoardo Apra, prior-parish priest of Rosta, of the archdiocese of Turin. With documents from the Secretariat of State, the same Most Holy Father, happily reigning, deigned to appoint: Extraordinary Secret Chamberlains of His Holiness: September 5, 1914. — Mons. Caprasio Pallotti, of the archdiocese of Bologna. — Mons. Aristide Magni, of the same archdiocese. September 6. — Mons. Alfonso Terzi, of the same archdiocese. September 7. — Mons. Giuseppe Pizzardo, of Rome. — Mons. Luigi Maglione, of Rome. — Mons. Francesco Marmaggi, of Rome. — Mons. Gennaro di Somma del Colle, of Rome. — Mons. Adolfo Agostoni, of the archdiocese of Bologna. — Mons. Gabriele Colatei, of Rome. — Mons. Domenico Spada, of Rome. — Mons. Eriberto Fonti, of Rome. — Mons. Luigi Centoz, of Rome. —

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Mons. Emmanuele Lanzerini, of the archdiocese of Bologna. September 8. — Mons. Giuseppe Villa, of the same archdiocese. — Mons. Luigi Magnavacca, of the same archdiocese. — Mons. Vincenzo la Puma, of Rome. — Mons. Michelangelo Bovieri, of Rome. September 9. — Mons. Roberto H. Benson, of the archdiocese of Westminster. — Mons. Giorgio Wallis, of the same archdiocese. — Mons. Arturo Filippo Jackmann, of the same archdiocese. — Mons. Edmondo Nolan, of the same archdiocese.

[*Latin ed. p. 527*]

Diarium Romanae Curiae 527, September 9, 1914. — Monsignor Maurizio Emmanuele Carton de Wiart, of the archdiocese of Westminster. — Monsignor Alberto Barnes, of the same archdiocese. — Monsignor Tommaso Dunn, of the same archdiocese. — Monsignor Carlo Brown, of the same archdiocese. — Monsignor Serafino Banfi, of the diocese of Southwark. — Monsignor Carlo Coote, of the same diocese. — Monsignor Guglielmo Keatinge, of the same diocese. — Monsignor Domenico Jorio, of Rome. September 10. — Monsignor Giovanni Biasiotti, of Rome. September 11. — Monsignor Domenico Forestieri, of Rome. — Monsignor Alessandro Mori, of the diocese of Mantua. — Monsignor Cesare De Sanctis, of Rome. September 12. — Monsignor Giovanni Norcia, of Rome. September 13. — Monsignor Luigi Giambene, of Rome. — Monsignor Giuseppe Latini, of Rome. — Monsignor Arturo Mazzoni. September 15. — Monsignor Antonio Guerinoni, of Rome. Honorary Chaplains, wearing the purple cassock of His Holiness: September 8, 1914. — Monsignor Giuseppe Giovannelli, of Rome. — Monsignor Antonio Nicolò, of Rome. — Monsignor Luigi Giordani, of Rome. September 13. — Monsignor Luigi Castellano, of Rome. Secret Chaplains of Sword and Cape, extraordinary, of His Holiness: September 4, 1914. — The Most Noble Count Stanislao Medolago Albani, of Bergamo, September 14. — The Gentleman Giuseppe Angelini, of Rome. Honorary Chaplains of Sword and Cape, extraordinary, of His Holiness: September 4, 1914. — The Knight Alessandro Croci, of Siena. — The Gentleman Luigi Josi, of Rome. September 6. — The Gentleman Guglielmo Alliata, of Rome. September 7. — The Knight Luigi Bersani, of Rome. September 9. — The Gentleman Luigi Martinucci, of Rome. — The Gentleman Giuseppe Barluzzi, of Rome. — The Gentleman Camillo Serafini, of Rome. — The Knight Augusto Grossi Gondi, of Rome. — The Gentleman Augusto Persichetti, of Rome. — The Knight Nicola Santovetti, of Rome. September 10. — The Knight Giovanni Ladelci, of Rome.

[*Latin ed. p. 528*]

528 Acta Apostolicae Sedis - Commentarium Officiale, 11 September 1914. — The Most Noble Count Adriano Aloisi Masella, of Rome. 12 September. — The Most Noble Commendatore Aristide Leonori, of Rome.

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— The Most Noble Commendatore Francesco Sassi, of Rome. — The Most Noble Commendatore Edoardo Persiani, of Rome. — The Most Noble Knight Giuseppe Frascari, of Rome. Chaplains, Secret Honorary of His Holiness: 8 September 1914. — Monsignor Pio Papi, of Rome. 10 September. — Monsignor Giovan Battista Bonelli, of Rome. — Monsignor Domenico Raggi, of Rome. — Monsignor Enrico Fedeli, of Rome. HONORS: By Apostolic Briefs, the Most Holy Father Pius X of blessed memory, deigned to confer the following honors: The Order of Saint Gregory the Great, civil class, with plaque: 11 August 1914. — To the Most Noble Count, Knight Stefano de Beauchamp, General Secretary of the Committee of Lourdes. The Order of Saint Gregory the Great, civil class: 11 August 1914. — To the Most Noble Knight Giustino Lacaze, Mayor of Lourdes. — To the Most Noble Count Filippo Sassoli de'Bianchi, of the Archdiocese of Bologna. The Order of Saint Sylvester the Pope: 6 August 1914. — To the Most Noble Giovanni Enrico Giuseppe van de Mortel, of the Diocese of Bois-le-Duc. The Order of Saint Gregory the Great, civil class, Knight: 5 February 1914. — To the Most Noble Nicola Rossi Genoese, of the Diocese of Mileto. 29 May. — To the Gentlemen: Tommaso B. Fitzpatrick, Enrico P. Nawn, and Giuseppe H. O'Neil, of the Archdiocese of Boston. 28 July. — To the Most Noble Doctor Antonino Arena, of the Archdiocese of Reggio Calabria. 9 August. — To the Most Noble Vincenzo Cavalletti, of Rome. The Order of Saint Sylvester the Pope, Knight: 9 August 1914. — To the Most Noble Doctor Giuseppe Götz Werbrun, of the Diocese of Würzburg.

[*Latin ed. p. 529*]

529 From the Diary of the Roman Curia, with a Brief Apostolic document, the Holy Father BENEDICT XV, reigning happily, deigned to bestow the following honors: The Insignia of the Order of St. Pius: September 19, 1914. — To Mr. Commissioner Frederick Count Sacconi, lieutenant of the Pontifical Noble Guard. — To Mr. Commissioner Peter Count Caterini, member of the same Pontifical Noble Guard. The Insignia of the Order of St. Gregory the Great: September 19, 1914. — To Mr. Commissioner Valentino Count Canale, ensign of the Pontifical Noble Guard. The Knighthood of the Order of St. Pius: September 19, 1914. — To the following gentlemen: Filippo Count Aluffi, Stanislaus Count de Witten, Filippo Count Sarazzani, Peter Noble Mencacci, Henry Count Paolini, Francesco of the Marchi Theodoli, and Luigi de Goyeneche of the Counts de Guaqui, members of the Pontifical Noble Guard. September 22. — To Mr. Massimo Ferron, formerly a pontifical zouave, of the diocese of Joliette.

MAJOR DOMO OF HIS HOLINESS, BY NAME

With a letter from His Eminence, the Reverend Monsignor, the Holy Father deigned to appoint:

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Secret Chamberlains of His Holiness: September 25, 1914. — Monsignor Andrea Martino van Zanten, of Amsterdam. — Monsignor Giuseppe Sorbellini, of the diocese of Loreto. — Monsignor Oreste Gurini, of the diocese of Recanati. — Monsignor Guido Anichini, of the archdiocese of Palermo. — Monsignor Carlo A. O'Hern. — Monsignor Alessandro Bernabai, of Rome. — Monsignor Pio Mingoli, of Rome. — Monsignor Salvatore Luzio, of Rome. — Monsignor Francesco Pascucci, of Rome. — Monsignor Antonio Anselmi, of Rome. — Monsignor Decio Botti, of Rome. September 30. — Monsignor Simon Peter Grassi, of the diocese of Bergamo. — Monsignor Angelo Giorgi, of the same diocese. — Monsignor Giuseppe Frigerio, of the same diocese. — Monsignor Quirino Spampati, of the same diocese.

ACTA, Volume V, No. 16. — October 16, 1914. 38

[*Latin ed. p. 530*]

530 Acta Apostolicae Sedis - Official Commentary, September 30, 1914. — Monsignor Giacomo Rossi, of the diocese of Bergamo. — Monsignor Andrea Mancini, of the same diocese. — Monsignor Giovanni Doeller, of the diocese of St. Hippolitus. — Monsignor Giacomo M. Enroe, of the diocese of Brooklyn. — Monsignor Francesco O'Hara, of the same diocese. — Monsignor Giovanni P. Hoffmann, of the same diocese. — Monsignor Michele Gabriele Flammery, of the same diocese. Chamberlain of Honor, wearing the peacock blue attire of His Holiness: September 28, 1914. — Monsignor Carlo Lorenzetti, of the diocese of Massa-Carrara. — Monsignor Benedetto Virili, of Rome. — Monsignor Vincenzo Nani, of the diocese of Massa-Carrara. — Monsignor Carlo Parozzi, of the same diocese. — Monsignor Giovanni Lucchetti, of Rome. September 30. — Monsignor Vittorio Masoni, of the diocese of Bergamo. — Monsignor Bruno Kratzig, of the archdiocese of Trieste. — Monsignor Ugo Misni, of the same archdiocese. — Monsignor Luigi Scialdoni, of Rome. — Monsignor Felice Valerga, of Rome. — Monsignor Carlo Fohringer, of the diocese of St. Hippolitus. — Monsignor Antonio Huber, of the same diocese. — Monsignor Domenico Mariani, of Rome. — Monsignor Giacomo [Coan, of the diocese of Brooklyn. Secret Chamberlains of Sword and Cape, honorary: September 7, 1914. — The Right Honorable Count Pietro Chiassi, of Rome. — The Right Honorable Count Giovanni Chiassi, of Rome. September 19. — The Right Honorable Count Massimiliano Zara, of Rome. September 24. — The Right Honorable Count Antonio Cagiano de Azevedo, of Rome. — The Right Honorable Count Bartolomeo Lippay, of Vienne. — The Right Honorable Marquess Giacomo Serlupi Crescenzi, of Rome. September 25. — The Right Honorable Count Vincenzo Macchi, of Rome. — The Right Honorable Count Ranieri Callori di Vignale, of the diocese of Casale Monferrato. — The Right Honorable Count Riccardo Pecci, of Rome. — The Right Honorable Francesco Vitali,

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of the diocese of Fermo. — The Right Honorable Count Alessandro Acquaderni, of the archdiocese of Bologna. — The Right Honorable Count Giovanni Acquaderni, of the same archdiocese. September 28. — The Right Honorable Marquess Giuseppe Sassoli de' Bianchi, of the same archdiocese. — The Right Honorable Count Filippo Sassoli de' Bianchi, of the same archdiocese. — The Right Honorable Marquess Paolo Viti-Mariani, of Rome.

[*Latin ed. p. 531*]

Diarium Romanae Curiae 531, 28 September 1914. — The Most Noble Count Agostino Caterini, of Rome. — The Most Noble Count Giovanni Battista Borgogelli, of the diocese of Fano. — The Most Noble Count Cesare Caterini, of Rome. — The Most Noble Sir Giovanni Marjoribanks Egerton. — The Most Noble Count Vincenzo Maria Petrangolini. 29 September. — The Most Noble Signor Luigi Corsanego Merli, of the archdiocese of Genoa. 30 September. — The Most Noble Count Alfonso Zabeo, of the archdiocese of Lavant. — The Most Noble Signor Giuseppe Aurelio Pecoraro, of the archdiocese of Naples. — The Most Noble Count Francesco di Paola Messina, of the archdiocese of Malta. — The Most Noble Marquess Angelo Marini Claretti, of Rome. — The Most Noble Signor Giuseppe Sterbini, of Rome. — The Most Noble Count Enrico Pocci, of Rome. — The Most Noble Marquess Gaetano Celesia Pilati, of the archdiocese of Palermo. — The Most Noble Count Folchino Dodici-Schizzi Cesi di Salizzole, of the archdiocese of Milan.

Chaplains in Ordinary, Supernumerary, of His Holiness: 24 September 1914. — The Most Noble Signor Odoardo Tabanelli, of Rome. 25 September. — The Most Noble Signor Paolo Geng, of the diocese of Versailles. — The Most Noble Signor Pietro Galeotti Ottieri della Ciaia, of the diocese of Chiusi. — The Most Noble Signor Giorgio Bezzina, of Rome. — The Most Noble Count Salvatore Tomassucci Galante, of Rome. 28 September. — The Most Noble Count Ludovico de Dorides, of Rome. 29 September. — The Most Noble Signor Giovanni Maria Migone, of the archdiocese of Genoa. 30 September. — The Most Noble Signor Pietro Diamilla Magnelli, of Rome. — The Most Noble Signor Augusto Gregorj, of Rome. — The Most Noble Signor Avv. Giuseppe Casini, of Rome. — The Most Noble Signor Prof. Pietro De Sanctis, of Rome. — The Most Noble Signor Raffaele Valensise, of the diocese of Mileto. — The Most Noble Signor Samuele Walker O'Neil, of Rome. 8 October. — The Most Noble Signor Pio Folchi. — The Most Noble Count Paolo Ceccopieri.

Secret Chaplains of His Holiness: 9 September 1914. — Monsignor Francesco Gasoni. — Monsignor Luigi Testoni. — Monsignor Attilio Bianchi. 12 September. — Monsignor Filippo Giobbe.

Chaplain in Ordinary Extra Urbem of His Holiness: 28 September 1914.

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— Monsignor Alessandro Guerrieri.

[*Latin ed. p. 532*]

532 Acta Apostolicae Sedis - Official Commentary of the Secretariate of the Holy See: September 12, 1914. — Mons. Riccardo Magnanensi. September 24. — Mons. Ambrogio Gianni. REGARDING THE PONTIFICAL YEARBOOK I. The Editorial Board of the Pontifical Yearbook earnestly requests the Most Reverend and Reverend Monsignors, Archbishops, Bishops, Abbots, Superiors of religious orders, Rectors of the Urban colleges, and all those who may have an interest, to kindly send to this office (located at the Secretariat of State - Vatican) the news and corrections concerning their respective dioceses and institutions, to be included in the Pontifical Yearbook for the coming year; in accordance with the Letters and Instructions given by His Eminence, the Most Reverend Cardinal Merry del Val, Secretary of State of His Holiness, POPE PIUS X, dated June 15, 1911 and 1912. II. Due to the large number of requests received on this matter, the Editorial Board of the Pontifical Yearbook respectfully requests that the Most Reverend Ordinaries of the dioceses inform their ecclesiastical and lay subjects, who have already been granted honorary dignities at the Pontifical Court, such as Honorary Secret Chamberlains, Chamberlains of Honor, etc., Chamberlains of Honor of the Cape and Sword, etc., etc., that their name will not be included in the Pontifical Yearbook unless a new appointment is obtained from the SUPREME PONTIFF, may He be blessed. NECROLOGY October 6, 1914. — Mons. Fulgenzio Torres, titular Bishop of Dorileo, Abbot Nullius of Nova Norcia, and Apostolic Administrator of the Vicariate of Kimberley in Australia. October 10. — The Most Reverend Cardinal Domenico Ferrata, Secretary of State of His Holiness, Secretary of the Holy Congregation of the Holy Office, Prefect of the Holy Congregation of the Sacraments, etc., etc. October 11. — Mons. Ludovico Sueur, titular Archbishop of Gerapoli.

[*Latin ed. p. 533*]

Annual VI. - Vol. VI. November 9, 1914. No. 17. ACTA APOTOLICAE SEDIS. OFFICIAL COMMENTARY. ACTS OF POPE BENEDICT XV. BY HIS OWN MOTION, GRACES AND PRIVILEGES FOR CLERKS PARTICIPATING IN THE CONCLAVE. POPE BENEDICT XV. Scarcely had we been raised, by the secret counsel of God, to the Chair of the Blessed Peter, when a thought arose in our mind, concerning how we might show favor to those ecclesiastical men who, in the recent Conclave, were either at our service and that of our venerable Brothers, the Cardinals of the Most Holy Roman Church, or who diligently and studiously performed the particular task entrusted to them; and in this matter, we desired not only to follow the footsteps of our predecessors, but also to offer some testimony of our charity towards our beloved sons, who had endured labors or inconveniences

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for this purpose. Therefore, it has seemed fitting to grant certain graces and privileges to the clerks participating in the Conclave, which will be of no small benefit to them. And so, by our authority and by our own motion, we decree the following: I. Clerks participating in the Conclave, who have followed the Most Holy Roman Cardinals residing in the city or governing the dioceses of Italy, shall receive, without charge, but only once, the graces, provisions, or commendations of any benefices that may be conferred upon them, as well as the Letters Apostolic pertaining to them. ACTS, vol. VI, no. 17. - 9-11-1914. 39.

[*Latin ed. p. 534*]

534 Acta Apostolicae Sedis - Official Commentary. To the Clerics Conclavists of the Most Holy Roman Church, who govern dioceses outside of Italy, the right of private oratory is granted, provided that the Ordinary has first visited and approved it. By the same right, and subject to the same condition, this privilege may also be granted to other Conclavists who are infirm in health.

III. The same privilege is granted to those who are companions to the Most Holy Roman Church's Cardinals James Gibbons, Archbishop of Baltimore; William O'Connell, Archbishop of Boston; and Louis Nazarius Bégin, Archbishop of Quebec, even though these individuals arrived after Our election; provided, however, that they lack none of the qualities required of Conclavists.

IV. These privileges and rights shall be granted entirely gratuitously by Apostolic Letters.

V. Since it is not permitted for Us, for the sake of the dignity of the Apostolic See, to establish perpetual pensions, as Our predecessors were accustomed to do, for the clerics Conclavists who were present with the Most Holy Roman Church's Cardinals residing in the City or governing dioceses in Italy, yet so that in this matter also some expression of Our will may not be lacking, We grant to each of them three hundred livres, once only. Notwithstanding the Constitutions, Ordinances, Our own regulations, and those of the Apostolic Chancery, and other matters that may be deemed worthy of special and individual mention; to all and each of which, even if special and individual mention were to be made of them, and their contents included, they would remain in full force, We hereby, for this occasion only, specifically and expressly derogate by Our own motion, and override all other contrary provisions, with the appropriate clauses. Let it be done by Our own motion. And with absolution from censures to effect, etc. And with the declaration that the remaining privileges and indulgences contained in similar documents of Our predecessors, which were granted to Conclavists, are, due to the present circumstances, sus-

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pended for the time being.

[*Latin ed. p. 535*]

The acts of Pope Benedict XV, page 535, shall remain valid. And it is our will that the signature on this document, issued by Our own authority, shall be sufficient and shall be accepted everywhere as valid, both in legal proceedings and outside of them, notwithstanding any rule to the contrary; and that a more detailed and precise specification and expression of all and each of the aforementioned matters may be made in documents to be issued, in which the names and surnames of each of the individuals consulted shall be expressed and described, or may be considered as expressed and described, including the Sacristan and the Masters of Ceremonies of Our Chapel, as well as the Secretary of the aforementioned College of Cardinals. We decree that the documents prepared concerning the present matter, and also the printed copies and handwritten copies of this document issued by Our own authority, shall have the same validity, both in legal proceedings and outside of them, as the original documents or the original document of this decree, if they were presented or shown, or if they were presented or shown. – Fiat. Given in Rome, at Saint Peter's, on the sixteenth day of the month of October, in the year 1914, in the first year of Our pontificate. P. CARD. GASPARRI, Prefect of the Secretariat of State. INDEX OF THOSE CONSULTED IN THIS DECREE: THOMAS PIUS BOGGIANI, O.P., Archbishop titular of Edessa, Secretary of the Holy College. AUGUSTINUS ZAMPINI, of the Order of the Eremites of Saint Augustine, Bishop titular of Porphyria, Prefect of the Apostolic Sacristy. NICOLAUS D'AMICO, who served as Vice Prefect of the Apostolic Ceremonies. IOSEPH TANI, IOANNES BAPTISTA MENGHINI, ALPHONSUS CARINCI, Masters of Ceremonies. CAROLUS RESPIGHI, ALOISIUS CAPOTOSTI.

[*Latin ed. p. 536*]

536 Acta Apostolicae Sedis - Commentarium Officiale. IOSEPH MIGONE, Presbyter; during the time that we held the dignity of Cardinal. CALOGERUS LICATA, Presbyter; of the Bishopric of Ostia, Portus, and St. Rufina. VANNUTELLI. ALFRIDUS LIBERATI, Presbyter; of the Bishopric of Alba. AGLIARDI. HUMBERTUS BERTINI, Presbyter; of the Bishopric of Praeneste. VANNUTELLI. IOANNES BIASIOTTI, Presbyter; of the Bishopric of Tusculum. CASSETTA. ANTONIUS MICOZZI, Presbyter; of the Bishopric of Sabina. DE LAI. LIBERATUS TOSTI, Presbyter; of the Bishopric of Velletri. FALCONIO. IOSEPH MALUSARDI, Presbyter; of the Cardinalric of the Most Holy Apostles. NETO. PHILIPPUS PICCONI, Presbyter; of the Cardinalric of St. Lawrence in Lucina. DI PIETRO. PATRITIUS LYONS, Presbyter; of the Cardinalric of St. Mary of Peace. LOGUE. ALEXANDER MACCHI, Presbyter; of the Cardinalric of St.

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Anastasia. FERRARI. ALOYSIUS HÄVER, Presbyter; of the Cardinalric of St. Mary Scalaris. GOTTI. ANTONIUS NICOLÒ, Presbyter; of the Cardinalric of St. Prisca. FERRATA. EMMANUEL CACIRO, Presbyter; of the Cardinalric of St. Mary Transpontina. MARTIN DE HERRERA Y DE LA IGLESIA. IOANNES LICITRI, Presbyter; of the Cardinalric of St. John and St. Paul. FRANCICA NAVA. ADULPHUS BARBERIS, Presbyter; of the Cardinalric of St. Mary in Via. RICHELMY. FRANCISCUS HRUBIK, Presbyter; of the Cardinalric of St. Stephen in the Caelian Hill. DE SKRBENSKY. HAROLDUS CANELLA, Presbyter; of the Cardinalric of St. Lawrence in Panisperna. BOSCHI. SILVINUS TOMBA, Presbyter; of the Cardinalric of St. Bartholomew in the Island. BACILIERI. DIONYSIUS SHEIL, Presbyter; of the Cardinalric of St. Praxedis. MERRY DEL VAL.

[*Latin ed. p. 537*]

The acts of Pope Benedict XV, 537: Francis Joseph de Maura, Priest; Joachim Cardinal, titular of the Most Holy titles of St. Boniface and St. Alexis, Argoverde de Albuquerque Cavalcanti. Charles Cesca, Priest; Aristides Cardinal, titular of St. Mary in Cosmedin, Cavallari. Anthony Pisani, Priest; Aristides Cardinal, titular of St. Pancratius, Rinaldini. John Dvorak, Priest; Benedict Cardinal, titular of the Holy Cross in Jerusalem, Lorenzenelli. Arthur Conelli, Priest; Peter Cardinal, titular of St. Chrysogonus, Maffi. Guido Anichini, Priest; Alexander Cardinal, titular of the Most Holy titles of St. Andrew and St. Gregory at Cleve, Lualdi. Canon Vranken, Priest; Desiderate Cardinal, titular of St. Peter in Vincula, Mercier. Angel Gaeta-Caselli, Priest; Peter Cardinal, titular of St. Bernard at the Baths, Gasparri. Felix Compant, Priest; Louis Henry Cardinal, titular of St. Mary Nova, Luçon. Joseph Le Barazer, Priest; Paul Peter Cardinal, titular of St. Honuphrius in Janiculum, Andrieu. Joachim Pontes, Priest; Anthony Cardinal, titular of the Most Holy titles of St. Marcellinus and St. Peter, Méndez Bello. Richard del Río-y-Mora, Priest; Joseph Maria Cardinal, titular of St. Mary of the People, Cos y Macho. Raphael Manari, Priest; Anthony Cardinal, titular of St. Callixtus, Vico. Noradinus Torricella, Priest; January Cardinal, titular of St. Mary Angelorum in the Baths, Granito Pignatelli di Belmonte. Thomas Carroll, Priest; John Maria Cardinal, titular of St. Mary above Minerva, Farley. Arthur Philip Jackman, Priest; Francis Cardinal, titular of St. Pudens, Bourne. Mauritius Clément, Priest; Leo Adolphus Cardinal, titular of St. Sabina, Amette. Benjamin Miñana, Priest; Henry Cardinal, titular of St. Peter in Monte Aureo, Almaraz y Santos. Marius Granier, Priest; Francis Maria Anatolius Cardinal, titular of St. Mary of Victoria, de Rovérié de Cabrières.

[*Latin ed. p. 538*]

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DIDORI, Priest; by BASIL, Cardinal Title of Saint Mary in the Ara Coeli, POMPILI. By VICTORIUS RADVÁMSI, Priest; by CAROL, Cardinal Title of Saint Agnes outside the walls, DE HORNIG. By FELIX BILBAO, Priest; by VICTORIAM, Cardinal Title of the Four Crowned Saints, GUISASOLA Y MENENDEZ. By IULIUS CHIAVONI, Priest; by DOMINIC, Cardinal Title of Saint Cecilia, SERAFINI. By CORRADUS PREYSING, Priest; by FRANCIS, Cardinal Title of Saint Marcellus, DE BETTINGER. By ANTONIUS LEPOLD, Priest; by IOANNIS, Cardinal Title of Saint Eusebius, CSERNOCEl. By EMMANUEL BÉGHETOILLE, Priest; by HECTOR IRENAEI, Cardinal Title of the Most Holy Trinity in Monte Pincio, SÉVIN. By CAROLUS BERGHAUS, Priest; by FELIX, Cardinal Title of Saint John before the Latin Gate, DE HARTMANN. By IOSEPH VAGNER, Priest; by GUSTAV, Cardinal Title of Saint Mark of the City, PIFFL. By IOSEPH TELLARINI, Priest; by FRANCIS SALESII, Cardinal Deacon of Saint Mary in Aquiro, of the Holy Roman Church, Camerarius, DELLA VOLPE. By IANUARIUS BUCCERONI, S. L.; by OCTAVIUS, Cardinal Deacon of Saints Cosmos and Damian, CAGIANO DE AZEVEDO. By HONORIUS MAGNONI, Priest; by CAIETANI, Cardinal Deacon of Saint Agatha, BISLETI; by LUDOVICI, Cardinal Deacon of Saint Mary in Via Lata, BILLOT. By HENRICUS PHILIPPUS LAUGDON, Priest; by GULIELMI, Cardinal Deacon of Saint Caesarius in the Palace, VAN ROSSUM. By IOANNES ROMAGNOLI, Priest; by SCIPIONIS, Cardinal Deacon of Saint Mary in Domnica, TECCH1. By MICHAEL EPIFANI, Priest; by PHILIPPI, Cardinal Deacon of Saint Angel in Foro Piscario, GIUSTINI. By PETRUS CATALDI, Priest; by MICHAELIS, Cardinal Deacon of Saint Eustachius, LEGA. By LAURENTIUS CAPRARA, Priest; by AIDANI, Cardinal Deacon of Saint George ad Velabrum, GASQUET. By Father AUGUSTINUS PIFFERI, of the Order of the Hermits of Saint Augustine, Sub-sacristan.

[*Latin ed. p. 539*]

Acta of Pope Benedict XV, 539. LETTERS I, to Francis, from Cardinal Paul Cassetta, Bishop of TUSCULANUM, Patron of the Pious Society of St. Jerome, for the dissemination of the sacred books of the Gospels. Venerable Brother, greetings and apostolic blessing.

We have most gladly received, on the very feast day of St. Jerome, the common letters and reports which, under your leadership, the excellent men of the pious Society of St. Jerome, which you diligently govern, have sent us, on the occasion of the annual celebration of its heavenly patron. For it is pleasing to us that the works of Christian religion and charity flourish and prosper everywhere in the world, and especially in Rome; and it is all the more pleasing when we ourselves have been participants, either in their beginnings or in their development. But know that we commend the Hieronymian Society to you not only for this reason, but also because, from the very beginning, its purpose has never been anything other than

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salutary, and at times, as you well know, most opportune.

It is more than evident that all errors in human association are derived from the fact that men forget the life, the precepts, and the examples of Jesus Christ, and that they fail to translate these into their daily actions. Therefore, it is undoubtedly useful to those who strive to instruct minds in Christian perfection, as you do, by diligently disseminating the sacred Gospels of God, and it is certainly a cause for joy for us, and for you above all, Venerable Brother, not only because of the excellent work that you have accomplished, which is most pleasing to us, but also because of the diligence with which, as we see, you have, over these years, taken care to publish copies of the books of the saints, with greater abundance and with a more refined *forma*.

We greatly desire and urge that the fruits of your industry and skill not only result in the widest possible dissemination of the books of the Gospels, but also that you achieve that which is among the most important of our desires, namely, that the most holy books enter into Christian families, and that they be there like that coin of the Gospel, which all diligently seek and carefully guard, so that all the faithful may become accustomed to their daily reading and discussion, and may thereby learn to walk worthily, pleasing to God in all things.

[*Latin ed. p. 540*]

540 Acta Apostolicae Sedis - Official Commentary. May the blessing, which We impart to you, venerable Brother, and to the members whom We have mentioned above, be a sign of the divine gifts and a witness of Our apostolic benevolence. Given in Rome, at Saint Peter's, on the eighth day of October, 1914, in the first year of Our Pontificate. BENEDICT XV.

TO THE MOST REVEREND PASCHAL MORGANTI, ARCHBISHOP OF RAVENNA AND BISHOP OF CERVIA, ON THE OCCASION OF THE PIOUS EXERCISES OF THE PRIESTS OF BOTH DIOCESES.

Venerable Brother, greetings and the apostolic blessing.

We have gratefully received the letters, full of devotion, and also the "Petrine offering" from the priests of the archdiocese of Ravenna and the diocese of Cervia, who have recently devoted themselves to religious duties, which you have presented to Us. And these have been all the more pleasing to Us, because of the bonds of affection with which We, holding the See of Bologna, have been connected with these dioceses for many years. Therefore, We openly express Our favorable and memorable regard for them all, and We furthermore praise the charity with which they contribute to the Apostolic See, clearly recognizing the piety and obedience with which they declare themselves devoted to Our person. Indeed, this is the chief support of priestly life; and for this reason, We are confident that, if they never waver in their feelings and in the excellent endeavors

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which the praised priests have undertaken through pious exercises, they will greatly benefit their own sanctity and will provide a most abundant benefit to the salvation of the faithful. But since God provides the increase, We offer prayers to Him that He may look favorably upon all, and that He may enrich each one with the gifts of heavenly assistance. May this be a sign of Our benevolence and a bond of unity, and may the apostolic blessing, which We impart with all Our heart to the aforementioned priests and to you, venerable Brother, be ever with you in the Lord. Given in Rome, at Saint Peter's, on the tenth day of October, in the year 1914, in the first year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 541*]

Acts of Pope Benedict XV, 541, addressed to Aloysius, Cardinal Lucian, Archbishop of Rheims. Concerning letters presented regarding the state of the same Archdiocese.

Beloved Son, greetings and apostolic blessing.

It is with particular interest that We have learned of the letter which you were so kind as to address to Us on October 3rd, and We thank you most sincerely for it. While it is a profound sorrow to Our soul to witness, from the very beginning of Our Pontificate, the sad events of the present time, it is also painful for Us to hear, from your own lips, Our dear Son, a painful echo of them, and to write to you, for the first time, under such circumstances and for such discouraging reasons. We have not failed to follow, with special attention, the news of the grave events of which the ancient and illustrious city of Rheims, your episcopal See, was recently the scene; We are grateful to you for having given Us a detailed account of these events and for having presented them with accuracy.

Be assured, Our dear Son, of the deep concern We feel for the profound sorrow that these events cause you, and for the thought of the disastrous consequences of the war, both in a religious and artistic sense, as well as in the material sense, for your beloved diocese, which is so sorely tried.

Imploring upon your person, upon the clergy, and upon the faithful entrusted to your pastoral care, an abundance of heavenly favors and consolations, so necessary and so desired in the midst of present anxieties, We impart to all, with heartfelt effusion, and to you in particular, Our dear Son, the apostolic blessing.

Rome, from the Vatican, October 16, 1914.

BENEDICT XV, Pope.

[*Latin ed. p. 542*]

542 Acta Apostolicae Sedis — Official Commentary IV TO THE MOST REVEREND CARDINAL DE HARTMANN, ARCHBISHOP OF COLOGNE, WHO INFORMED US THAT HIS MAJESTY, THE EMPEROR OF GERMANY, HAS DECREED THAT FRENCH PRIESTS CAPTURED

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IN WAR SHOULD BE TREATED IN THE SAME WAY AS MILITARY OFFICERS. Beloved Son, greetings and the apostolic blessing. — We have indeed received from you the news that His Majesty, the Emperor of Germania, having approved of your prayers, has decreed that those French soldiers currently residing in Germania who are captives, as many as are ministers of God, should be treated no differently than military officers. In this harsh time, as we see almost all of Europe ravaged by fire and sword, and as the blood of Christians stains the land, and as the spectacle of this entire war fills Our heart with unspeakable sorrow, the news you have recently conveyed to us has brought us not inconsiderable consolation. From these things, we have clearly perceived how ardent is your spirit in charity towards those who are bound to you by the bond of the priesthood. We have also been persuaded that your exceptional charity extends not only to French clerics who are captives, but, as far as possible, to all others who are held within your territory, without any distinction of religion or nation, and especially to those who are afflicted by illness or wounded, so that their sufferings and ailments may be alleviated, and their spiritual well-being may be promoted. Such an act of charity is, as is easily understood, common to all men; but it pertains especially to the ministers of God and other religious men. For this reason, We are confident that your illustrious example will be imitated by all who glory in the Christian name, especially by bishops and Catholic priests, not only in Germania, but also in other regions where men, captives, especially the sick and wounded, are consumed by sorrow. In the meantime, as a pledge of Our heavenly favors and of Our benevolence, We impart to you, beloved Son, and to the clergy and people under your care, Our apostolic blessing, earnestly in the Lord. Given at Rome, near the blessed Peter, on the eighteenth day of October, in the first year of Our pontificate. BENEDICT XV.

[*Latin ed. p. 543*]

Acta of Pope Benedict XV, 543 V, Addressed to the Most Reverend Joseph Mora y del Rio, Archbishop of Mexico, Concerning the Grave State of the Mexican Church. – A Decree is Added from the Sacred Congregation for Extraordinary Affairs. Venerable Brother, greetings and the apostolic blessing. – Having begun Our pontificate according to the secret counsel of God, We have felt a profound sorrow for that terrible war which for so long has drenched almost all of Europe in the blood of men; yet, as if We were not sufficiently afflicted, more matters concerning the state of the Mexican Church are brought to Our attention from these most distant regions, which cause Us great concern. Therefore, We embrace you, Venerable Brother, and the other bishops of that republic, with sincere affection, so that We may share with you the anxieties which you fear. Indeed, We join Our prayers with yours, that, through the mercy of God, the most blessed Virgin of Guadalupe may, at length, bring peace among you and

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that all may enjoy the tranquility of the state. Which We do not doubt will soon come to pass, if your people, and especially the clergy, strengthen the Christian spirit and strive to appease God through humble patience in these calamities. Because it is necessary that such events should bring about great anxieties, We do not wish you to lack any testimony of Our concern. Therefore, grieving over the present condition of the Apostolic See, We have decided to grant you a greater favor, in order to alleviate somewhat the heavy burden upon you: for this reason, We are sending a certain sum of money, which you yourselves may devote to the divine worship and the support of the clergy and religious congregations, and also to Catholic works, as you may deem fitting. And We add Our prayers, in which We hope that peace may soon smile upon these regions; and may the apostolic blessing, which is the peacemaker and also a witness of Our paternal benevolence, be bestowed upon you, Venerable Brother, upon the other bishops of the Mexican Church, and upon your clergy and people, with the greatest affection. Given at Rome, near St. Peter's, on the twenty-fifth day of the month of October, in the year 1914, in the first year of Our pontificate. BENEDICT XV.

[*Latin ed. p. 544*]

Acta Apostolicae Sedis - Official Commentary 544. HOLY CONGREGATION FOR EXTRAORDINARY ECCLESIASTICAL AFFAIRS. By order of the Most Holy Father, on October 14th, in the year 1914. The Supreme Pontiff, Pope Pius X, having heard the prayers offered by the Most Reverend and Right Reverend Monsignor Francisco Orozco and Jiménez, Bishop of Chiapas in the Republic of Mexico, on November 25th, in the year 1908, benignly granted that a votive Mass of the Blessed Virgin Mary of Guadalupe might be recited in that same Republic on the twelfth day of each month, provided that it did not coincide with any feast of the Blessed Virgin Mary, or a feast of the second class, or any other feast which, according to the rubrics, would exclude that votive Mass. Furthermore, since a petition has been presented to the Holy See by several bishops and priests, who are compelled to leave their beloved homeland as exiles during this time, requesting that all, both individually and collectively, might avail themselves of this faculty, even outside the territory of the Republic of Mexico, His Holiness, Pope Benedict XV, to whom the ancient and most sweet piety of that nation towards the Mother of God, and the benefits conferred upon the Mexican people by her, are most well known, having been informed by the undersigned Secretary of the Holy Congregation for Extraordinary Ecclesial Affairs, benignly approved of this request, with the aforementioned circumstances remaining in force; firmly confident that this is a filial testimony of devotion from the entire episcopate and clergy, and with the tenderest paternal care, may a more abundant grace and a more powerful help be granted to the people by Jesus the Redeemer, in the midst of the

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bitterness of these times. Notwithstanding any objections to the contrary. Given at Rome, from the Secretariat of the aforementioned Holy Congregation, on the day, month, and year mentioned above. Eugenius Pacelli, Secretary.

VI. TO THE MOST EXCELLENT GENERAL, M. LUDOVIC, VICE-COUNT D'HENDECOURT, PRESIDENT OF THE ASSOCIATION OF SAINT VINCENT DE PAUL, GREETINGS.

Dear Son, greetings and apostolic blessing. — It has been very pleasing to us to receive the letter, full of filial sentiments of piety, which you have taken to heart to address to us, on behalf of the Society of Saint Vincent de Paul, on the occasion of our elevation to the Supreme Pontificate.

[*Latin ed. p. 545*]

Acta Benedicti PP. XV 545: The inviolable attachment, the absolute fidelity of your esteemed Society to the Apostolic See; the unity, the noble devotion of its members, are indeed well known to Us for a long time: you have just given Us a striking testimony thereof. We have never ceased to take the liveliest interest in this eminently Catholic and social institution, and it is with profound satisfaction that We have followed and continue to follow the development of this great tree, which has extended its branches and borne precious fruits of supernatural charity in all parts of the world. During Our sojourn in Bologna, We had the opportunity to observe first-hand the countless benefits of the apostolate of this Society, so imbued with the true spirit of Jesus Christ, the happy results of its Conferences, and We endeavored to promote them to the extent of Our abilities. Let this be known to you, Our dear Son, the preference that, following the example of Our predecessors of sacred memory, We hold in Our heart for the Society [of Saint Vincent de Paul], and for all its members who, recently, have renewed their zeal and the ardor of their devotion on the occasion of the unforgettable celebrations of the centenary of the birth of he who was its principal founder and its most illustrious apostle. May the Divine Master, supporting your efforts, bless the wishes that We form for the progress and growth of your Society, which, at the present time, is especially called upon to alleviate so much suffering, to apply a salutary balm to so many spiritual and bodily miseries. As a pledge of Our special benevolence and of the most abundant heavenly blessings upon your persons and your works, We impart, with effusion of heart, to you, Our dear Son, to the members of the General Council, and to all the members of the Society, the Apostolic Blessing. Rome, from the Vatican, October 20, 1914. BENEDICT PP. XV.

[*Latin ed. p. 546*]

546 Acta Apostolicae Sedis - Official Commentary VII A.D. To the Most Reverend NICOLAUS DOBRECIC, Archbishop of ANTIBARENSEM, to whom We commend charity towards the captives detained in his diocese.

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Venerable Brother, greetings and the apostolic blessing. — Since We assumed the pontificate, We have, as far as Our strength allows, endeavored to provide some remedy for the grievous inconveniences of this war. Regarding this matter, indeed, you know that not long ago We addressed Our beloved Son, the Most Reverend Felicissimus S. R. E. presbyter, Cardinal de Hartmann, Archbishop of Coloniensem, with letters in which We not only bestowed praise upon him for having obtained from the German Emperor that priests captured from Gallia be treated with dignity, but We also earnestly urged him to diligently assist all captives, without any distinction of religion, nation, or condition, and especially the sick or wounded, with every act of charity. Now, We wish you also to attend to this matter as far as you are able, since, venerable Brother, a field not dissimilar is open to you, in which your mercy may operate. Therefore, imitate the charity of Christ, the Prince of Pastors, who went about doing good and healing all, and lovingly assist those soldiers who are held captive among you, and especially those who, by reason of wounds received or infirmity of health, justly claim a greater share of your care. Furthermore, We do not doubt that the governors of this kingdom, following the voice of the law of nations and of humanity, will act with clemency and kindness towards these unfortunate people; thus, when your efforts, venerable Brother, are added to theirs, a much better solution will be found for this great need. That this may come to pass as We desire, We impart from Our paternal benevolence the pledge of heavenly gifts to you, venerable Brother, and to your clergy and people, the apostolic blessing, with all Our heart. Given at Rome, near the blessed Peter, on the eighth day of the month of September, in the year 1914, in the first year of Our pontificate. BENEDICT XV.

[*Latin ed. p. 547*]

The Most Holy Congregation Consistorial, 547.

SUPREME HOLY CONGREGATION OF THE HOLY OFFICE (SECTION FOR INDULGENCES).

DECLARATION OR INDULGENCE CONCERNING THE RECITATION OF A CERTAIN PRAYER FOR THE CONVERSION OF AFRICA.

July 23, 1914.

Our Most Holy Lord, Pope Pius, of blessed memory, having granted an audience to the Reverend Father, Assistant of the Holy Office, deigned benignly to grant that, in reciting the prayers for the conversion of Africa, which are found in the authentic Collection of Indulgences, approved by the Most Holy Congregation for Indulgences and Sacred Relics on July 23, 1898, under number 340, the invitation or introduction to the prayer properly so called may be omitted, without depriving [those reciting] of the spiritual benefits attached to it.

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In contradiction to anything to the contrary.

By order of the Most Reverend Cardinal Secretary.

S. f.

DONATUS, Archbishop.

EPHESINUS, Assistant of the Holy Office.

MOST HOLY CONGREGATION CONSISTORIAL

CONCERNING THE COLLEGE OF PRIESTS FOR THE SPIRITUAL CARE OF ITALIANS EMIGRATING TO FOREIGN REGIONS.

General Regulations.

1. The College of Priests for the spiritual care of Italian emigrants, instituted in Rome by the Most Holy Pope Pius X by means of his Motu Proprio of March 13, 1914, has for its object the education of young priests of the secular Italian clergy in the exercise of the holy ministry for the benefit of their fellow countrymen emigrating to foreign lands.

[*Latin ed. p. 548*]

548 Acta Apostolicae Sedis - Commentarium Officiale 2. It depends directly on the Most Holy Consistory, to which it belongs to establish its rules and to oversee its moral, scientific, and economic conduct, with the competence of the Cardinal Vicar of Rome concerning the celebration of the Holy Mass and the sacred functions, the exercise of the ministry of Confession and preaching, and the external ecclesiastical discipline of the students and superiors. 3. A priest, nominated directly by the Supreme Pontiff, under the title of Rector, shall have the immediate governance of the College, with all the powers, rights, and duties proper to the rectors of seminaries. 4. Four priests, chosen by the Supreme Pontiff, shall exercise the office of deputies of the College, two for discipline and two for administration. They shall have the same functions, duties, and rights, including the duration of their term in office, as those established in the recent Regulations of the Pontifical Roman Seminary. They shall assemble under the presidency of the Cardinal Secretary of the Most Holy Consistory. 5. There shall also be in the College a spiritual director, to be chosen by the Cardinal Secretary of the Most Holy Consistory, with the advice of the deputies, after consulting the Cardinal Vicar, and with the approval of the Supreme Pontiff. 6. Another priest must be chosen to assist the Rector, both in matters of discipline and in the administrative affairs of the College. His appointment shall be made by the Cardinal Secretary of the Most Holy Consistory, upon the proposal of the Rector, with the advice of the deputies, and after consulting the Cardinal Vicar. 7. The same procedure shall be followed for the selection of the physician or other ministers of the College, whom it may be necessary to appoint over time. 8. The servants shall be chosen by the Rector and

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shall be entirely under his authority, without any right to pensions in the event that they leave or are dismissed for any reason. 9. Since the purpose of the institution is to prepare young priests for the moral and religious assistance of Italian emigrants abroad, only those priests who, by their moral and intellectual qualities, by their age and physical constitution, and by their aptitudes and inclinations, give serious assurance of succeeding in this endeavor, shall be admitted to the College. 10. The admission of each individual shall be discussed with the participation of the Rector in the disciplinary deputation. And no one shall be admitted to the College unless he possesses the qualifications mentioned in the preceding article, with a testimonial from his own Bishop. Once the student has entered the College, the Rector...

[*Latin ed. p. 549*]

1. The Sacred Congregation of the Consistory will not immediately grant participation to the Cardinal Vicar, so that he may be recognized by the Vicariate.

2. Each priest, either before entering or after entering the College, may indicate the region in which he would prefer to exercise the sacred ministry for the benefit of the emigrants. However, he must submit to the will of the Superiors if special reasons arise to assign him to another destination.

3. The regular stay in the College shall be two years. However, this may be reduced to one year, given special needs to provide for some mission, and if the student appears sufficiently prepared.

4. Those who, for any reason, are not deemed suitable for the ministry of assisting emigrants, may be dismissed by the Rector, with the approval of the disciplinary committee, so that they may return to their dioceses. The others, for at least 10 years, must accept the ministry of assistance for that diocese or locality to which they are assigned by the Rector with the approval of the disciplinary committee.

5. In the College, communal life will be conducted according to its own regulations, publicly displayed. No one shall, without special permission from the Rector, abstain from communal activities; and no one shall ever leave alone, or outside of the established times; but only in the company of one or two of his fellow students, according to the prudent judgment of the Rector, who will establish appropriate rules on this matter, to be approved by the disciplinary committee.

6. In the College, the customary practices of piety will be carried out in common, also to be established with a special regulation, and appropriate to the special condition of priests who are preparing for the holy mission among the emigrants.

7. There will also be schools: 1st, of foreign languages: English, French, Spanish, Portuguese, and German; 2nd, of civil laws and the special condi-

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tions of the countries where emigration is most prevalent, and to which the students will be directed; 3rd, of apologetics and pastoral care; 4th, of the sacred liturgy and ecclesiastical music. They may also attend, with the consent of the Rector, some special schools, primarily of canon law, in order to make themselves more suitable for the mission to which they are preparing.

8. At the end of each year, an examination will be held on the subjects of instruction: and the result for each student, together with the judgment on his...

[*Latin ed. p. 550*]

550 Acta Apostolicae Sedis - The official commentary concerning the conduct and profit [of the College] will be communicated to the Cardinal Secretary of the Consistorial Congregation and to the section for emigration, in order to judge the suitability of the students for the ministry to which they are destined.

18. The College will provide what is necessary for the modest furnishing of each student's room, the chapel, and the dining hall. Each individual will be responsible for their own personal belongings. The alms collected from the Mass will be devoted to the individual sustenance of the students. Regarding health, the College will provide medical care for minor ailments; in the case of a prolonged or serious illness, the expenses will be borne by the individuals themselves.

19. The priests of the College, during their stay in the institution, will retain their original subordination to their own Ordinary, so that, if they were to leave without being sent on a mission abroad, they must return to their diocese and there be considered as their own. Nor will they lose this subordination by going abroad to assist the emigrants, unless they are incardinated in the dioceses of domicile according to the norms of the law.

20. The priests of the College who are sent on a mission abroad must be subject to the local Ordinary and depend on him in all things, while dedicating themselves, preferably and especially, to the care and assistance of Italians, for which purpose they are destined. However, each year they must give an account of themselves and their works to the Rector of the College, who must inform, at least briefly, and for matters of some importance or consequence, the section for emigrants of the Consistorial Congregation. The priests who have rendered commendable service abroad for ten years to the benefit of Italian emigrants, if they wish to return to their diocese of origin, will be received with kindness, and, all other things being equal, will be preferred in promotions to ecclesiastical benefices.

21. Admission to the College is regularly made in the second half of October. The priest who has obtained admission, in the first week of his arrival, after becoming acquainted with the rules, must take an oath to

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observe them faithfully, both during his stay in Rome and during the time of his mission.

Rome, from the Sacred Congregation of the Consistorial Congregation, June 24, 1914.

† G. CARD. DB LAI, Bishop of Sabina, Secretary.

Rev. Peter Pisani, Substitute for Emigration.

[*Latin ed. p. 551*]

Most Holy Pope Benedict XV, through the decrees of the Sacred Consistorial Congregation, has provided for the following churches with their proper pastors:

September 22, 1914. — To the titular archiepiscopal church of Philippopolis, he appointed the Reverend Father Vincent Kluczynski, formerly Archbishop of Mohiloviensem.

September 30. — To the titular episcopal church of Aureliopolis, he appointed the Reverend Hubert Oliver Chalifoux, General Vicar of Sherbrook, whom he constituted Auxiliary Bishop of the Most Reverend Bishop of Sherbrook.

October 1. — To the metropolitan church of Bracharensi, he appointed the Reverend Father Emmanuel Vieira de Mattos, formerly Bishop of Aegitaniensem.

October 2. — To the cathedral church of Angrensi, he appointed the Reverend Emmanuel Damasceno da Costa, canon of the cathedral church of Visensis.

October 3. — To the cathedral church of Funchalensi, he appointed the Reverend Anthony Emmanuel Pereira Ribeiro, canon of the cathedral church there, and vicarius capitularem.

October 3. — To the cathedral church of Aegitaniensi, he appointed the Reverend Joseph Alves Mattoso, canon of the cathedral church of Conimbricensis.

III. ERECTION OF A NEW DIOCESE.

Most Holy Pope Benedict XV, by decree of the Sacred Consistorial Congregation of October 20, 1914, divided the extensive territory of the diocese of Fortalexiensis in Brazil, at the request of the Bishop himself, into two parts; and, having reduced the northern part to the diocese of Fortalexiensis, he erected a new diocese in the southern part, called Gratese, from the city commonly known as Grato. This diocese of Cratensis will have the following boundaries: to the north, the very northern limits of these seven

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parishes, in their...

[*Latin ed. p. 552*]

552 Acta Apostolicae Sedis – An official commentary concerning the territory, commonly known as Ico, Iguatu, St. Matthew, Saboeiro, Arneiroz, St. John of the Inhamuns, and Flores; to the east, the dioceses of Natal and Cajazeiras; or the boundaries between the state of Ceará and other states of Rio Grande do Norte and Parahyba; to the south, the diocese of Floresta, or the boundaries between the states of Ceará and Pernambuco; and finally, to the west, the diocese of Piauí, or the boundaries existing between the states of Ceará and Piauí; thus, the diocese of Grato includes, besides the seven aforementioned parishes, fourteen other parishes, commonly known as Grato, Barbatila, Jardim, Brejo dos Santos, Milagres, Missão Velha, St. Peter of Grato, Aurora, Lavras, Ti-Mary, Varzea Alegre, Assaré, Araripe, and Cococy. The new diocese of Suffragane was established by the archdiocese of Olinda. CONFIRMATION: Briefly, it was confirmed by the Apostolic See: September 15, 1914. – The bishop of the Chaldean Church of Sehan, Reverend Father John Nissau, a priest of the Chaldean rite.

[*Latin ed. p. 553*]

SACRED CONGREGATION OF RITES. DECREE CONCERNING THE APPROVAL OF READINGS FOR THE FEASTS OF THE UNIVERSAL CHURCH, WHICH IN SOME PLACES ARE CELEBRATED ONLY AS COMMEMORATIONS. Since the feasts of the universal Church often occur, either frequently or perpetually, at the same time as a more important feast or office of a particular church, so that they remain restricted to a commemoration and a single reading, the Sacred Congregation of Rites, wishing to satisfy the requests of various Ordinaries, has, following the procedures of the decree of May 25, 1904, number IV, concerning the feasts or offices mentioned, taken care to reduce the number of readings to a maximum of three, and, after revision and proper approval, has graciously granted them. From these individual readings, the present collection has arisen, which, by the mandate of Our Most Holy Father Pope Pius X, the same Sacred Congregation has decided and decreed to publish for the common good; and it has declared that these readings may and should be used according to the rubrics. Furthermore, the Sacred Congregation itself has wished and ordered that this decree of approval and concession be prefixed to this collection, for both clergy and others, as may be necessary. Contrary opinions notwithstanding. June 24, 1914. Rev. Fr. S. CARD. MARTINELLI, Prefect. L. S. Fr. Petrus La Fontaine, Bishop of Charyste, Secretary.

[*Latin ed. p. 554*]

554 Acta Apostolicae Sedis - Official Commentary of the SACRED ROMAN ROTA OF MILAN. During the blessed reign of Pope Pius X, in the

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eleventh year of His Pontificate, on May 29, 1914, the Most Reverend Fathers, William Sebastiani, Dean, Seraphinus Many, and Franciscus Heiner, Auditors, in the case of Milan, delivered the following final judgment concerning the law of burial: Between the Reverend Octavius Paronzini, represented by his lawful procurator, the advocate Angelus D'Alessandri, and the Reverend Stephen Balconi, represented by his lawful procurator, the Reverend Father Carmel Conte, advocate. In the town of Abbiategrasso, in the diocese of Milan, a hospital was established in the year 1882, named after Constantino Cantu, for the reception and care of the sick of the entire town, which is divided into three parishes: namely, the parish of Saint Mary of the New [Church], the parish of Saint Peter, and the parish of the Small Castle [Castelletto]. The pastor of the parish of Saint Mary of the New [Church], within whose territory the hospital was located, buried all those who died in it, regardless of which parish they belonged to. In the year 1885, the Reverend Balconi succeeded this pastor, and he, following in the footsteps of his predecessor, also buried all those who died in the hospital. In the year 1895, the pastors of the parishes of Saint Peter and the Small Castle protested to the curia of Milan against this practice. However, when the fiscal promoter of the curia responded to the complaints of the pastors, stating that the existing custom granted the right of burial to the pastor of the place where a person died, even accidentally, the matter was settled. Meanwhile, in the year 1909, the hospital of Constantino Cantu was transferred to the parish of Saint Peter, whereupon the Reverend Paronzini, having used the aforementioned response of the fiscal promoter and following the example of the pastors of Saint Mary, began to bury all those who died in the hospital. However, the Reverend Balconi, who in the meantime had been instructed in the common law and in certain resolutions of the Holy Council concerning the burial of the deceased in hospitals, brought a legal action before the diocesan curia, seeking to ensure that his rights were preserved regarding the funerals of his parishioners who died in the common hospital. The judges of Milan delivered a judgment favorable to the plaintiff on June 28, 1911, against which the Reverend Paronzini appealed to the Sacred Roman Rota, and the case is currently being debated under the following formula.

[*Latin ed. p. 555*]

The Roman Rota, case 555, poses the question: Does the right to bury the parishioners of Saint Mary who die in the Constantino Hospital belong to the pastor of Saint Mary, or rather to the pastor of Saint Peter? The principles governing this matter are well-known. Whenever someone dies outside of their own parish, except in the case of a chosen burial place or the family burial plot, the right to bury, that is, the right to perform the funeral rites over the deceased's body and to transport it to the cemetery, belongs to the pastor of the parish in which the deceased had their domicile or quasi-

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domicile. The words are clear, chapter 3, on Burials, in the Vatican Council: "He who has his domicile in a city or town, and sometimes transfers himself to a rural estate for recreation or to engage in rural activities, if he dies there without having chosen a burial place, must be buried, not in the church of that estate, but in his parish church... provided that he can be transported to it without danger." Therefore, the right to bury is one of the parochial rights, and the pastor, as is said, has in this matter an intention founded in law. The reason for this is that, as Boniface VIII writes in chapter 2, paragraph 1, burial is due "to that church in which he [the deceased] was accustomed to hear divine services and to receive the sacraments." Since burial is a certain sacred rite, or a sacramental act, it is fitting that he who ministered the sacraments during life should minister after death, and if some benefit arises from the funeral, it is fitting that it should be received by him who had the duty of providing for the living parishioner with the word of God and the sacraments, as is also said in chapter 1 on Burials, Decretal Gregory IX, and in chapter 2, of the same title, Clement. This common right is applicable to parishioners who die outside the parish, in a hospital, because those who are commonly received into a hospital do not intend to remain there for a significant portion of the year, but rather to leave as soon as possible; therefore, they do not acquire a quasi-domicile there, and they remain parishioners of those parishes to which they belonged before entering the hospital. In this sense, the Sacred Congregation has often responded; see, for example, in Bononia, February 13, 1695, and in another Bononia, January 24, 1857, and in Pontremoli, May 19, 1888. However, it may happen that the right to bury belongs to the chaplain of the hospital, or to the pastor of the place where the hospital is located, in two ways: either by privilege or by custom. "Privileges of exemption (as Cardinal De Luca teaches, De Parochis, "Discourse XXIII, n. 12), have been granted by the Apostolic See to almost all hospitals, especially those of large cities, both because of the reduced amount of labor and inconvenience [involved, namely, administering the sacraments], and because of the great confusion that otherwise results."

[*Latin ed. p. 556*]

556 Acta Apostolicae Sedis - Commentarium Officiale: "Concerning the administration of sacraments, since it often happens that, due to unforeseen circumstances and at any hour, even at night, it might be necessary to administer them, and if, for each sick person in different parishes, even distant ones, it would be necessary to summon their own parish priests, this would be impracticable." Furthermore, it is also customary for Doctors to have the right to perform burials, and the Roman Congregations and ecclesiastical tribunals have considered this right to be of the utmost importance when judging matters concerning burial rights. Since this custom is mixed with prescription, and because it infringes upon the rights

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of a third party, it is clear that the conditions of prescription must also be met, especially regarding the title and the time required for prescription, according to chapter I, On Prescriptions, in VI: hence, canonists teach that in this case, either a forty-year custom with a title, or a hundred-year or unmemorable custom without a title is required. See Petra in constitutionem 9 Inn. III, n. 55; Pignatelli, tom. VI, consul. 59. In the same way, the Holy Roman Congregations resolve or assume, for example, S. C. Concilii in Papien. - Funerum, 20 ian. 1906; and S. C. Episcoporum et Regularium in Thelesina seu Gerretana - Iurium parochialium, 23 aug. 1902. However, the custom must be proven: in this regard, the esteemed Wernz writes (Vol. I, n. 192): "Full and conclusive proof of a custom is provided by authentic testimonies of Ordinaries, or by synodal statutes, in which the alleged custom is mentioned... In particular, to prove an unmemorable or hundred-year custom, it is necessary for witnesses to testify that they have observed that custom for at least 40 years, and that they have always heard from their elders that it has always been observed, and that neither the witnesses nor their elders have seen or heard of anything being done to the contrary." Now, regarding the facts. The Fathers noted that in the entire diocese of Milan, there is a custom according to which, if someone dies in a foreign parish, the parish priest of that place performs the funeral, independently of the parish priest of the deceased's domicile. This custom was recognized and affirmed by the 38th Synod held in 1902, with these words: "Since a custom has long been established in the diocese, and also with the mutual consent of the parish priests, which they showed us on the occasion of pre-synodal meetings, we declare and establish that the right to perform funerals belongs to the parish priest of the place of death, and that no such right belongs to the parish priest of the domicile." Indeed, in this case, we are dealing with a custom that contradicts the law, and which infringes upon the rights of a third party: it is therefore evident that the synod could not have considered it valid, nor could all the parish priests have consented to it, unless it had been legitimately prescribed, according to the terms of chapter I, On Prescriptions, cited above. It is no secret that bishops, whether in synod or outside of synod, cannot, in the general law of the Church,

[*Latin ed. p. 557*]

The Roman Rota, in number 557, has sought to introduce a change, but it is able to authentically declare that a custom has been introduced contrary to common law, and to establish that custom. Therefore, having established this customary law throughout the entire Milanese diocese, the Fathers stated that it also applies to those who die in hospitals. Indeed, the words of the Synod are, in the first place, general and universal, and, just as they do not suggest any ambiguity, so they do not admit of any distinction regarding the place of death: thus, they extend to all the deceased indiscriminately, whether in a private home or in hospitals, or in

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a city or town, or in the countryside. It is not to be said that the Synod has excluded hospitals, because, after what we have presented, it states: "However, we still wish everything to remain intact with regard to hospitals." On this matter, the Judges of first instance write, with these words, that the Synod has derogated from the general rule by its very wording: "Therefore, the meaning of the Constitution is that, although the diocesan rule regarding the parish priest's right is recognized with regard to those who die in parishes, with regard to those who die in hospitals, common law must be followed, or the customs contrary to it must be followed, if the individual hospitals have legitimately prescribed them, which the Synod wants to remain intact, or it does not want to prejudice them in any way by its statutes." But this interpretation is not to be accepted: for the adversative "however" with which the diocesan legislator wishes everything to remain intact with regard to hospitals, necessarily refers not to common law, but can well refer either to particular customs existing among the parish priests, such as, for example, in the cities of Varese and Monza, or most importantly to the practice of hospital chaplains, who act as parish priests: a practice which the legislator did not wish to abolish or change. That the words of the Synod are to be understood in this sense is evident from the citation made in the same Synod of the resolution of the Holy Congregation of August 14, 1863; for this refers to the relations between hospital chaplains and parish priests, and not to the relations between parish priests of a place and parish priests of a domicile. Nor was the diocesan law interpreted in this way by the Milanese court two years after the celebration of the Synod. Indeed, Hieronymus Zaroli, parish priest of Legnanello, with regard to the funerals of those who died in the same hospital in that town in 1902, stated: "During my administration, in the year 1904, I asked the General Advocate of this Court of Milan about the manner in which to conduct the funerals of those who died in the hospital of Legnanello, and I was told to follow the prescription of the Synod regarding the right that the parish priest has over those who die in his parish." Then, the records do not state when and for what reasons the practice recognized by the Synod began. However, it can be reduced to three causes: either the boundaries of the parishes were once established, sewn and secured.

[*Latin ed. p. 558*]

558. Acts of the Apostolic See – Official Commentary: These must be observed; or, in order that consultation may be sought, due to the distance between places, with great expense for the transportation of corpses from one place to another town, and from one city to another, for which reason the relatives of the deceased are often forced to abstain from paying for the funeral rites in the parish of their domicile; or finally, and this is truer, in order to avoid great confusion that might otherwise result regarding the administration of the sacraments. Cardinal De Luca, in chapter 1, already

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mentions these matters. Indeed, all these reasons apply indiscriminately and are verified whether someone dies outside their own parish, in a hospital, or elsewhere. The Fathers further argue from the fact that in private infirmaries, which are found in larger cities, especially in the Milanese diocese, it is an undisputed practice that the deceased are buried by the parish priest of the place, excluding the parish priest of the domicile. Now, if this is the case, no reason can be conceived to introduce an exception for public infirmaries, i.e., hospitals, especially if it is noted that in private hospitals, wealthy people die, and consequently, the parish priest of their own parish suffers little detriment in terms of income; on the contrary, in public hospitals, generally, the poor die, so that the parish priests sustain no, or very little, diminution of their income. Nor should it be said that in private infirmaries, the sick intend to remain there for a large part of the year. For this is entirely false, at least with regard to all and each of those who are received in these infirmaries. Furthermore, hospitals are also included in the custom confirmed by the synod, as clearly stated in the supplementary process completed by the Milanese curia at the request of the advocate, Reverend Father Octavio Paronzini. From this, we learn that in all hospitals of the Milanese diocese, the funeral rites of the deceased are performed either by the chaplain of the hospital, or by the parish priest of the place in whose territory the hospital is located, with the parish priests of their own parishes receiving a quarter of the funeral expenses. And it should be noted that in hospitals, even those that are interparochial, not only are the subjects of the parishes who, by right of foundation, have the right to send their sick to these hospitals received, but also the sick of other parishes, either free of charge, or for a fee. Therefore, it is quite useless to determine the number of parishes that are subject to the current practice regarding funerals in the hospitals of the Milanese diocese, since, from whatever place the sick may come, if they die, they are all buried in the same way. A single exception can be made with respect to the hospital of the town of Varese. But what is practiced in this hospital should be maintained according to the agreement reached between the parish priests. Before the agreement, i.e., from the time of Saint Charles, up to the year 1910, the parish priest of the place was always the one who performed the funeral, as testified by Lucioni, Barzaghi, Manusardi, and Piccardi. And in the agreement that was made, something was preserved.

[*Latin ed. p. 559*]

The Roman Rota, case number 559, concerned a practice previously observed in other diocesan hospitals: in that case, it was decided that if someone died in a hospital outside the city of Varese, the funeral rites were to be performed solely by the clergy of the local hospital. This practice, however, was observed not only in hospitals with a long-standing foundation, but also in those of more recent establishment, with no objections

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raised by those who might have suffered a detriment from this practice. For example, the parish priest of Garcano, in whose parish the Annotti Hospital was established in 1903, stated: "I have never given the 'fourth' [a traditional funeral offering] or any compensation to the respective parish priests for the deceased in the hospital, nor have they ever requested any compensation from me." Similarly, the esteemed parish priest of Zaroli, regarding the hospital established in his parish in 1902, stated: "No parish priest has ever objected to my way of acting. Nor have I felt obligated to give any compensation." Likewise, D. Aloysius Casartelli, referring to his own parishioners who died in the Cantu hospital, established in 1878 within the parish boundaries of St. Paul, stated: "I have never received anything for the 'fourth,' and I do not know if any objections have ever been raised." Finally, Caserus Fortunati, regarding those who died in the hospital established in 1875 within the boundaries of his own parish, stated: "Following the practice of my predecessors, I have not felt obligated, nor have I, in fact, given the 'fourth' or any other compensation to the respective parish priests of the deceased in the hospital, nor do I know if any request for compensation has ever been made to me or my predecessors, or if any observations have been made in this regard." From these examples, it is evident that the customary right of parish priests to perform funeral rites within the boundaries of their own parishes does not exclude those who die in hospitals. This is expressly testified to by the parish priest Rizzi: "The parish priest of Vaprio has never paid the 'fourth' or any other compensation to the parish priests of the respective deceased, nor have the aforementioned parish priests claimed or demanded any compensation; and I affirm this because, to my knowledge, it is due to the established custom that the right to perform funeral rites belongs to the parish priest where the death occurs." Furthermore, it is added that, when the Milanese archdiocese received some protests against parish priests performing funerals in hospitals, within the boundaries of their own parishes, it did not disapprove of the practice of these parish priests, but rather considered it valid, as it was in conformity with diocesan custom. The records show that in the civic hospital of the city of Monza, previously located in the collegiate parish of St. John the Baptist, the archpriest and chapter performed the funeral rites for all who died there. However, when the hospital was moved in 1895 to the territory of the parish of St. Blaise in the same city, the parish priest of St. Blaise began to perform the funeral rites for all who died in the hospital, just as had previously been done in the parish of St. John the Baptist.

[*Latin ed. p. 560*]

560 Acta Apostolicae Sedis - Commentarium Officiale: Certain officials of this church and some other pastors presented a humble petition to the diocesan authority, in which they "recalled the historical right" of the

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church of St. John the Baptist, claiming that it should accompany "the hospital, even in its new location; but if it should be found necessary to relinquish this right, they requested that the 'parochial affiliation' of the hospital be permitted." However, these requests did not meet with a favorable outcome: for, as reported by the Reverend Paulus Rossi, archpriest of Modestia, "following a discussion by the canonical-legal council, I received a brief negative response, motivated by 'diocesan practice... the practice used for health and recovery homes.'" Similarly, concerning a matter that pertains more directly to our case, in the year 1895, the pastor of St. Peter's, the present appellant in this judgment, brought a case before the court of Milano against the pastor of St. Mary of Nova, who was conducting funerals, as has been stated, for all the deceased in the Costantino Cantu hospital, seeking that at least a fourth of the burials be assigned to him for the deceased who were his own parishioners in the same hospital, and he received a response from the public prosecutor in these words: "According to canonical theory, 'you would be perfectly correct. But it must be noted that today, custom assigns the right of burial to the pastor of the place 'in which anyone has died, even incidentally.'" Having carefully and diligently considered all of these matters, We, the undersigned Auditors, sitting for the tribunal and having only God before our eyes, invoking the name of Christ, declare and definitively pronounce the judgment that the right to bury the parishioners of St. Mary, who die in the Costantino Cantu hospital, belongs to the pastor of St. Peter's. We also declare that the expenses have been compensated between the parties. We command the Ordinary of the place and the ministers of the tribunals, to whom this pertains, to order the execution of this our definitive judgment, and to proceed against those who resist, according to the norms of the sacred Canons, especially chapter 3, session 25, concerning the reforms of the Council of Trent, employing the executive and coercive means that they deem most effective and appropriate for the circumstances. Rome, in the seat of the Sacred Roman Rota, on the 18th of July, 1914. G. Sebastiani, Dean. S. Many. F. Heiner. L.|$jS. From the Chancery of the Sacred Roman Rota, 7th of August, 1914. Sac. T. Tani, Notary.

[*Latin ed. p. 561*]

From the Roman Curia Diary, 561.

DIARY OF THE ROMAN CURIA.

SECRETARY OF STATE.

By order of the Secretary of State, His Holiness has deigned to appoint:

October 19, 1914. — The Most Reverend Cardinal Domenico Serafini, Member of the Pontifical Commission for Biblical Studies.

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October 21. — The Most Reverend Cardinals Diomede Falconio, Scipione Tecchi, and Michele Lega, Members of the Sacred Congregation of Sacraments.

October 22. — Monsignor Giovanni Mac Intyre, titular Bishop of Lamo, and Rector of the English College, and the Reverend Fathers Eugenio Tisserant and Michele Hetzenauer, Capuchin, Consultors of the Pontifical Commission for Biblical Studies.

October 24. — The Most Reverend Cardinal Filippo Giustini, Protector of the Order of the Friars Minor.

October 26. — The Most Reverend Cardinal Pietro Mancio, Protector of the Institute of the Sisters of Charity of the Venerable Captain.

October 28. — The Most Reverend Cardinal Basilio Pompilj, Archpriest of the patriarchal Basilica of the Lateran. — The Most Reverend Cardinals Antonio Agliardi, Diomede Falconio, and Basilio Pompilj, Members of the Sacred Consistorial Congregation.

October 30. — The Most Reverend Cardinal Gaetano Bisleti, Protector of the Pontifical Academy of Noble Ecclesiastics.

November 3. — The Most Reverend Cardinal Antonio Vico, Protector of the Institute of the Daughters of Jesus, of Salamanca. — The Most Reverend Cardinal Filippo Giustini, Protector of the Order of the Romiti of St. Augustine and of the Congregation of the Missionaries of the Most Sacred Heart of Jesus.

[*Latin ed. p. 562*]

562 Acta Apostolicae Sedis - Official Commentary. By Apostolic Briefs, the Most Holy Father Pius X, of blessed memory, deigned to appoint:

Assistant to the Papal Throne: May 30, 1914. — Monsignor Thomas M. A. Burke, Bishop of Albany.

Domestic Prelates of His Holiness: May 29, 1914. — Monsignor Gallus Bruder, pastor of the German church of St. Joseph, and Monsignor William Guiñan, rector of the parish of the Holy Rosary, in New York City.

July 29. — Monsignor Dionysius J. Curran, general vicar, and Monsignor James J. Hartley, rector of the grand seminary, of the diocese of Rochester.

By Apostolic Briefs, the Most Holy Father BENEDICT XV, reigning happily, deigned to appoint:

Assistant to the Papal Throne: October 27, 1914. — Monsignor Thomas Joseph Dowling, Bishop of Hamilton.

Domestic Prelates of His Holiness: September 30, 1914. — Monsignor James O'Connell, chancellor of the archdiocesan curia of Boston.

October 16. — Monsignor Edward J. Mac Golrick, rector of the parish church of St. Cecilia in Brooklyn.

October 17. — Monsignor Angelo Covino, episcopal delegate of the dio-

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cese of Diano-Teggiano.

October 27. — Monsignor John Doherty, of the diocese of Hamilton. — Monsignor Pacifico Crivelli, senior canon of the diocese of St. Severino.

October 28. — Monsignor John Aguillar Jiménez, general vicar of the diocese of Madrid. — Monsignor Louis Pérez Estevez, archpriest of the cathedral of the same diocese.

October 29. — Monsignor Donald I. Mac Intosh, general vicar of the diocese of Antigonish, and Monsignor Hugo Gillis, of the same diocese. — Monsignor Francis Lanzoni, rector of the seminary of Faenza.

[*Latin ed. p. 563*]

From the Roman Curia Diary, No. 563, through the Secretary of State, the Holy Father has deigned to appoint:

Secret Chamberlains, extraordinary, to His Holiness:

September 7, 1914. — Monsignor Giuseppe Fanti, of the archdiocese of Bologna.

September 8. — Monsignor Francesco Hrubik, of the archdiocese of Prague.

September 10. — Monsignor Michelangelo Grancelli, of the diocese of Verona.

— Monsignor Ilario Zanoni, of the same diocese.

— Monsignor Luigi De Monte, of the same diocese.

— Monsignor Carlo A. Cassidy, of the archdiocese of New York.

— Monsignor Carlo de Corley, of the same archdiocese.

— Monsignor Luca E. Evers, of the same archdiocese.

— Monsignor Gerardo Ferrante, of the same archdiocese.

— Monsignor Giacomo V. Lewis, of the same archdiocese.

— Monsignor Daniele Mac Mackin, of the same archdiocese.

— Monsignor Francesco P. Mac Nichol, of the same archdiocese.

— Monsignor Guglielmo Murphy, of the same archdiocese.

September 11. — Monsignor Giacomo A. Connolly, of the same archdiocese.

— Monsignor Giovanni G. Dunn, of the same archdiocese.

September 13. — Monsignor Pietro Codemo, general vicar of the diocese of Ascoli Piceno.

— Monsignor Francesco Marcelli, parish priest of Colli del Tronto, of the same diocese.

— Monsignor Domenico Maggio, archpriest of Piazzola sul Brenta, of the diocese of Vicenza.

Chamberlain of Honor, in purple vestments, to His Holiness:

September 10, 1914. — Monsignor Silvino Tomba, of the diocese of

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Verona.

Secret Chamberlain of Honor to His Holiness:

September 21, 1914. — Monsignor Luciano Rossi, of the clergy of Rome.

Secret Chamberlains of Sword and Cape, extraordinary, to His Holiness:

September 8, 1914. — Mr. Guglielmo Dooley, of the archdiocese of Boston.

September 10. — Mr. Don Vincenzo de Giovanni, Duke of Santa Severina.

September 12. — Mr. Marchese Edoardo J. Du Mée, of the archdiocese of Philadelphia.

September 14. — Mr. Vittorio Quesada di S. Pietro, Marquess of S. Sebastiano, of the archdiocese of Cagliari.

September 14. — Mr. Comm. Alfredo Basto, residing in San Remo.

Chamberlain of Honor of Sword and Cape, extraordinary, to His Holiness:

September 4, 1914. — Mr. Cavaliere Paolo Croci, of Rome.

[*Latin ed. p. 564*]

564 Acta Apostolicae Sedis - Official Commentary

HONORS

With Brief Apostolical letters, the Holy Father deigned to bestow the following honors:

The Grand Cross of the Order of Saint Gregory the Great, civil class: October 28, 1914. – To the Most Reverend Senator Don Luigi Bahia y Carrutia, of the diocese of Madrid.

The Commanderate of the Order of Saint Gregory the Great, civil class: October 16, 1914. – To the Most Reverend Knight Tommaso Pate, of the diocese of Livorno.

The Commanderate of the Order of Saint Sylvester the Pope: October 8, 1914. – To the Most Reverend Gentlemen: Knight Mario Maruffi, auditor of accounts for the Prefecture of the Sacred Apostolic Palaces, and Knight Pietro Costa, provisional regent of the Apostolic Floristry.

The Knighthood of the Order of Saint Gregory the Great, military class: October 7, 1914. – To the Most Reverend Giuseppe Chateauvert, former Papal Zouave, of the archdiocese of Québec.

The Knighthood of the Order of Saint Sylvester the Pope: October 9, 1914. – To the Most Reverend Carlo Riva, of the archdiocese of Turin.

October 28. – To the Most Reverend Momgian Ohamos Effendi, of the diocese of Trebisonda.

NECROLOGY

October 16, 1914. – The Most Reverend Michele Francesco Howley, Arch-

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bishop of Saint John's, Newfoundland.

October 23. – The Most Reverend Pacifico Carletti, Bishop of Albenga.

October 25. – The Most Reverend Amabile Prospero Berthet, Bishop of Gap.

November 4. – The Noble Prince Don Mario Chigi Albani, Marshal of the Conclave.

[*Latin ed. p. 565*]

Year VI. - Volume VI. November 18, 1914. No. 18. ACTA APOTOLICAE SEDIS. OFFICIAL COMMENTARY. ACTA OF POPE BENEDICT XV. LETTERS. ENCYCLICAL LETTER TO VENERABLE BROTHERS, PATRIARCHS, PRIMATES, ARCHBISHOPS, BISHOPS, AND OTHER ECCLESIASTICAL SUPERIORS MAINTAINING COMMUNION WITH THE APOSTOLIC SEE. BENEDICT XV, TO THE VENERABLE BROTHERS, GREETINGS AND APOSTOLIC BENEDICTION. To the most blessed chair of the Apostles, by the secret counsel of God's providence, we have been brought, through no merits of our own, as Christ the Lord Himself called to Peter, "Feed my sheep," and with the greatest benevolence and charity, we turn our gaze to those entrusted to our care; we behold the countless flock, which, in various ways, encompasses all mankind. For all, as many as they are, have been freed from the servitude of sin by the abundant price of His blood; and there is no one who is excluded from the benefits of this redemption; therefore, the Divine Shepherd has already happily included a part of the human race within the bosom of His Church, and He most lovingly affirms that He will draw the remainder in: "And other sheep I have, which are not of this fold; them also I must bring in." (John 10:16). ACTA, Volume VI, No. 18. - 18-11-1914. 41.

[*Latin ed. p. 566*]

Acta Apostolicae Sedis - Commentarium Officiale 566 ex hoc ovili: et illas oportet me adducere, et vocem meam audierit V — Equidem., non vos hoccelabimus, venerabiles Fratres: ante omnia, divina certe benignitate excitati, sensimus in animo incredibilem quandam studii et amoris impetum ad curandum salutem hominum; atque illud ipsum fuit Nostri Pontificatus uscipiendum votum, quod Iesu, mox crucem subeuntis, fuerat: And now I am not in the world, and these are in the world, and I come to thee. Holy Father, keep them in thy name whom thou hast given me: that they may be one, as we also are.

Iam vero, ut primum licuit ex alto considerare cursum humanarum rerum sub imperio Apostolicae dignitatis, cum lacrimabilis obversaretur Nobis conditio civilis societatis, acrisane dolore affecti sumus. Quo igitur impetu fieret ut Nostrum communis omnium Patris animum non vehementissime sollicitare? Hoc spectaculum Europae atque ideo orbis terrae, quod nullum fortasse nec atrocius post hominum memoriam fuit, nec luctuosius?

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Omnino illi advenisse dies videntur, de quibus Christus praenuntiavit: Audituri... estis praelia, et opiniones praeliorum... Consurget enim gens in gentem, et regnum in regnum. Tristissimausque quaque dominatur imago belli; nec fere nunc est aliud quod hominum cogitationes occupet. Maximae sunt praestantissimaeque opulentia gentes quae dimicant: quamobrem quid mirum, si horrificis beneinstructae praesidiis, quae novissime ars militaris invenit, conficere se mutuo exquisita quadam inhumanitate contendunt? Nec ruinum igitur nec caedis modus: quotidie novoredundat cruore terra, a sauciis completur exanimisque corporibus. Num, quos ita videns alteros alteris infestos, eos dixeris ab omnibus prognatos, num eodem naturae, eiusdem societatis humanae participantes? Num fratres agnoveris, quorum unus est Pater in caelis? Dum autem munitis utrimque copiis furiose decernitur, interea doloribus et miseriis, quae bellis, tristis cohors, comitari solent, civitates, domus, singuli premuntur: crescit immens in dies.

[*Latin ed. p. 567*]

The Acts of the Most Holy Pope XV speak of the number of two worlds; commerce languishes amidst broken treaties; fields lie fallow; the arts are silent; the wealthy are in distress, the poor are in squalor; all are afflicted. Moved by these extreme circumstances, and as a first step, as it were, towards the highest office of the Pontificate, We have deemed it Our duty to recall the words of Our Predecessor, the illustrious and most holy Pope, whose memory we cherish, and to invoke the Apostolic office; and We have earnestly beseeched those who govern and rule the public affairs, that, considering how much weeping and bloodshed there has been, they may render justice to the people. And may it be, by the merciful benefit of God, that what the Angels sang at the birth of the Divine Redeemer, may quickly be heard: "Peace on earth to men of good will." We implore those to hear us, whose hands hold the fate of nations. Indeed, other paths exist, other reasons by which, if any rights have been violated, they may be vindicated. Let them, laying down arms for the time being, experience true faith and goodwill. Moved by love for all peoples, and not for Our own cause, We speak thus. Let them not ignore the voice of a friend and father, but let it fall upon them. But, moreover, not only does this cruel war bring misery to the people, but We are also anxious and concerned. Another thing, inherent in the very depths of human society, is a furious evil; and this is feared by all who are wise, because, while it has already brought and will continue to bring harm to the states, the seeds of this most profitable war are sown. For, from the moment that the precepts and institutions of Christian wisdom cease to be observed in the discipline of the state, since these contained stability, tranquility, and order, the foundations of the states necessarily began to crumble, and a change of customs and morals followed, so that, unless God promptly helps, the ruin of human society seems imminent.

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Therefore, Luke 1:14.

[*Latin ed. p. 568*]

568 Acta, Apostolicae Sedis - The official commentary states: mutual benevolence is absent from unions between men and women; it despises those who are in authority; orders contend unjustly with other orders of citizens; and worldly goods are so eagerly sought after that they seem to be the only things that matter, far surpassing all other human purposes. We believe that these four points contain the causes for the profound disturbance of human society. Therefore, it is necessary to take common action, namely, by recalling Christian principles, in order to restore peace and rightly compose public affairs. And first, Christ the Lord, for this very reason having descended from heaven, in order to restore the kingdom of peace in men, which had been overthrown by the envy of the devil, desired nothing other than charity as its foundation. Therefore, He frequently says: "I give you a new commandment: that you love one another; This is my commandment, that you love one another; I give you this commandment, that you love one another," as if this were His sole duty and task, to bring men to love one another. And for the sake of this, what kind of arguments did He not employ? He bids us to look to heaven: "And call none your father upon earth; for one is your father, who is in heaven." He teaches this very formula of prayer to all, without distinction of nation, language, or race: "Our Father, who art in heaven." And He also affirms the heavenly Father, in the dispensation of the benefits of nature, not to distinguish the merits of individuals: "Who makes his sun to rise upon the good and the bad, and sends rain upon the just and the unjust." He also says to us, "Brothers are you all," and He calls them "brothers," so that He Himself may be the firstborn among many brothers.

[*Latin ed. p. 569*]

569 The acts of Pope Benedict XV should be recalled, or, concerning those whom nature's pride despises, let there be great charity, even in the smallest things, so that each one may recognize the dignity of the person: "For what you have done to one of these least brethren of mine, you have done to me." What, if the Father has spent so much on us, so that all who believe in Him might be united in charity? "As you, Father, are in me, and I in you, that they may be one." Finally, hanging on the cross, He poured out His blood for all, so that, just as the coagulation and thickening of blood forms one body, so we may love one another, as members of the same body, with the highest friendship.

But the morals of this time are quite different. Perhaps human fraternity has never been so much preached as today; yet, without fail, they doubt that this pursuit of fraternity can bring about the greatest benefits that human nature has produced in this age, neglecting the voice of the Gospel, and

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setting aside the works of Christ and the Church. However, truly, has there ever been more fraternal action among men than now? The crudest hatreds are born from the most diverse differences; nations prefer hatred to separation by regions; within the same city, the same citizens burn with mutual envy; and among private individuals, everything is directed by self-love, as if it were the supreme law. You see, venerable Brothers, how necessary it is that all efforts be made so that the charity of Jesus Christ may once again reign in men. This is certainly something that we will always propose to you, as the proper work of Our Pontificate; we urge you to strive for this yourselves. Let us not cease to inculcate in the ears of men, as St. John says: "And now I beseech thee, lady, not as writing a new commandment to thee, but that which we have had from the beginning, that we love one another." Certainly, those institutions that abound in this age with beneficent causes are praiseworthy and valuable; but if they contribute nothing to fostering true love of God and of others, then they are of no solid benefit; for he who does not love remains in death.

[*Latin ed. p. 570*]

Acts of the Apostolic See – The official commentary observes that the common cause of these disturbances consists in the fact that the sanctity of the bonds which ought to hold society together has been weakened, and that the authority of those who govern is no longer respected. Hence, all human authority, whether it be derived from the will of the people or from established laws, has its bonds of office so weakened that they almost seem to have vanished. For, indeed, the desire for liberty, joined with stubbornness, has permeated almost everything; it has not spared even the domestic society, whose authority is clearly evident from nature, and, what is more deplorable, it has penetrated even into the most sacred recesses. From this arises contempt for religion; from this arise disturbances among the people; from this arises the audacity to criticize whatever is commanded; from this arise countless ways to undermine discipline; and from this arise the enormities committed by those who, while pretending to be subject to no law, fear neither the misfortune of others nor the loss of their own lives. To this perversion of the constitution of human society, it is not permitted for us, to whom the divine mandate to teach the truth has been entrusted, to remain silent; and we must warn the people of that doctrine which no human decree can change: There is no power but from God: and those that are in power, are ordained of God. Therefore, whoever is in authority among men, whether he be a prince or subject to a prince, his authority has its origin in God. Therefore, Paul does not say this in any light or casual way, but religiously, that is, out of the duty of conscience, that obedience must be given to those who hold authority, unless they command something contrary to divine laws: Wherefore be subject of necessity: not only for wrath, but also for conscience' sake. It is in harmony with the words of

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Paul that the very Prince of the Apostles teaches: Be subject therefore to every human creature for God's sake: whether it be to the king, as being supreme; or to governors, as being sent by him...

[*Latin ed. p. 571*]

The acts of Pope Benedict XV record that he who resists legitimate authority resists the command of God, and prepares eternal punishments for himself: "For he who resists the power, resists the ordinance of God." Those who resist acquire condemnation for themselves. Moreover, let princes and rulers of nations remember this, and let them consider whether a prudent and salutary course of action is to separate from the public authority, both in matters concerning the state and in matters concerning the holy religion of Jesus Christ, for only public authority has the strength and firmness to support them. Furthermore, let them consider whether the doctrine of the Gospel and of the Church, which seeks to discipline the civil state and the public youth, is excluded from civil wisdom. It is too well known that where authority is abandoned by men, religion also vanishes. As happened in the first generation of our fathers, when, having abandoned their duty, they rejected the authority of their parents, so it often happens with states. Just as they scarcely had begun to turn away from God, when unrestrained desires of the will rejected the rule of reason: so, when those who govern nations despise the divine authority, they are accustomed to mock the authority of the people.

Indeed, it is true that turbulent movements are often suppressed by force: but what fruit does this produce? The body, but not the spirit, is subdued. Therefore, when that double bond is removed, by which the entire body of society is held together, that is, either by mutual charity between members, or by obedience to the head out of respect for authority, who can marvel that human society is seen to be divided, like armies, which fight fiercely and constantly against each other? There stand against each other those to whom God has granted some abundance or fortune, or who have acquired it through industry, the proletarians and the workers, burning with malice, because, although they share the same nature, they are not in the same condition. Indeed, once they have been incited by the fallacies of agitators, who are accustomed to fabricate all sorts of things, who can persuade them that, because they are men of the same nature, they should share everything equally?

[*Latin ed. p. 572*]

572 The *Acta Apostolicae Sedis*, the official record, does not find a place for communal living, but rather considers the condition of each individual, which each person has compared to their own morals, unless circumstances have intervened. Thus, when the lower classes engage in a struggle with the more affluent, as if they had seized portions of the goods that rightfully

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belong to others, they do not act justly, nor do they act with charity, but also against reason, especially when they themselves could seek a better fortune through honest labor, if they wished.

And whatever disadvantages this envious competition between classes brings, both to individuals and to the community, it is not fitting to ignore. We see and deplore the frequent interruptions of work, by which the course of civil and public life, and even the most necessary tasks, are often suddenly hindered. We also see the threats, disturbances, and riots, in which it often happens that, through the use of weapons, human blood is shed. It does not seem necessary for us to argue here, since Socialists and others in this type of error are clearly refuted. Indeed, our most wise predecessor, Pope Leo XIII, reminds us of this in his memorable Encyclicals: "And you, venerable brothers, will diligently take care that those most serious precepts are never forgotten, but that they are illustrated and instilled in Catholic associations, in sacred sermons, in public writings, whenever the occasion arises. But above all – and we do not doubt that with all the arguments that the Gospel itself, or human nature itself, or the reason of public and private discipline provides – we should strive to persuade all to love one another with fraternal charity, according to the divine law of charity. For the power of this love certainly is not to abolish the distinction between conditions and therefore between classes, which cannot be done any more than it can be done that all the members of an animal's body have the same action and dignity – but it will nevertheless bring it about that those who are in a higher position will, in some way, lower themselves to those who are below; and not only will they act justly towards them, which is fitting, but they will also behave benevolently, kindly, and patiently; and they will rejoice in the prosperity of others and trust in their help; thus, just as the younger children rely on the protection and support of the older ones in the same family."

[*Latin ed. p. 573*]

573 The Acts of Pope Benedict XV. For, venerable Brothers, those things which we have hitherto deplored, the persecutions, have a deeper root: and unless those who are concerned strive to uproot it, that which is, in truth, a stable and lasting quality of human affairs, will not follow. The Apostle demonstrates what this is: "The root of all evils is cupidity." For, if one considers it carefully, all the evils from which human society has never been free spring from this stock. Whether it be the perversities of scholars, in which a false title of learning is feigned, or the immoralities of writers, by which, daily or at intervals, the ignorance of the multitude is increased, or the causes of wars, for which popular opinion is demanded, we say that a most pernicious error is infused into the minds of men, when they do not despair that any man may be eternally happy in evil; that it is permissible for him to be happy, enjoying the riches, honors, and plea-

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sures of this life; no one should be surprised that men, made for happiness, are drawn away by the pursuit of these things, and that whatever hinders them from achieving them, they will reject. For since these goods are not equally distributed among individuals, and since social authority exceeds the limits of the freedom of individuals and encroaches upon what is alien to it, therefore authority is hated, and the misfortune of the wretched burns with envy, and a mutual contention arises among the orders of citizens, as some strive to attain what they desire and to seize it, while others seek to retain what they have, and even to increase it. This very thing, as Christ the Lord foresaw the future, explained in that most divine discourse which He gave on the mountain, the earthly beatitudes of men, which are attained through works: and it may be said that in this, the foundations of Christian philosophy are laid. Indeed, these things, even for those who are very far from the Faith, contain a singular wisdom and the most absolute doctrine concerning religion and morals: and certainly, all agree that no one, except Christ, who is Himself the Truth, has ever taught the same thing, nor with such gravity and weight, nor with such a sense of love. 1 Timothy 6:10.

[*Latin ed. p. 574*]

The Acta Apostolicae Sedis - Official Commentary 574. The innermost and most hidden reason for this divine philosophy is that what mortals call "goods" have indeed the appearance of good, but lack the power to make a man live a blessed life. For, by the authority of God, it is so far from the truth that riches, glory, and pleasure bring happiness to men, that if one truly desires to attain it, he must, for the sake of God Himself, renounce all of these things: "Blessed are the poor in spirit." "Blessed are they that now weep." "Blessed are you when men hate you, and when they separate you, and reproach you, and cast out your name as evil." Indeed, through the pains, sorrows, and miseries of this life, if we endure them as we ought, we open the way for ourselves to that perfect and eternal good which God has prepared for those who love Him. But this teaching of the Faith is neglected by many, and seems to be completely forgotten by many. But it is necessary, venerable brothers, that all minds be renewed in it, for in no other way will men and human society find rest. Therefore, let us encourage those who are afflicted by any kind of sorrow not to lower their eyes to the earth, in which we are pilgrims, but to lift them up to heaven, saying: "For here we have no abiding city, but we seek a city that is to come." And in the midst of the bitter trials, in which the salvation of others is at stake, let them often consider what reward is prepared for them when they have overcome these dangers: for that which is present is momentary and light, but the weight of eternal glory works in us above measure. Finally, with all effort and diligence, let us strive to revive in men the faith in supernatural things, and together with it, the worship, the desire, and the hope of eternal goods; this must be proposed to you first, venerable brothers, then to the rest of

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the clergy, and also to all of ours, who, united by a common bond, seek to promote the common glory of God and the true benefit of the faithful. For as these things, Luke vi, 20-22; 1 Corinthians 11, 9; Hebrews XIII, 13; 2 Corinthians iv, 17.

[*Latin ed. p. 575*]

575 The acts of Pope Benedict XV. Among men, as faith grows, so too will increase the zeal of those who seek earthly goods; consequently, the vanity of temporal things will be perceived more clearly. However, if we turn our attention from the concerns of men to the affairs of the Church itself, it is certainly the case that our spirit, so greatly afflicted by the calamities of these times, may be at least partially restored. For, beyond the most evident arguments, the divine virtues and integrity with which the Church is endowed offer us no small consolation. Our predecessor, Pope Pius X, who illuminated the most holy Apostolic See with the example of his life, left us a most excellent legacy through his active foresight. We see in his works a fervent zeal for the study of religion throughout the sacred orders; he aroused piety in the Christian people; he promoted the action and discipline of Catholic associations; he established dioceses, increased their number, and fostered the proper training of young clergy, both through the strict observance of canons and, where necessary, through consideration of the times; he repelled the dangers of rash innovation and the perversion of doctrine; he commanded that the sacred art of music be worthy of its majesty, and he enhanced the beauty of the liturgy; he extended the Christian name far and wide through new missions of the Gospel. Indeed, the merits of our predecessor for the Church are great, and posterity will gratefully preserve their memory. However, since, as long as the family of the Church exists, and God permits, the malice of the enemy of man will always be present, there will never be a time when there is nothing to be done to prevent the weeds of luxury from choking the fruits of virtue. Therefore, interpreting also to ourselves the words that God spoke to the prophet: "Lo, I have set thee this day over the nations, and over kingdoms, to root up, and to pull down, and to waste, and to destroy, and to build, and to plant," 1 we will, as far as it is in us, diligently strive to prohibit all that is evil and to promote all that is good. 1 Jeremiah 1:10.

[*Latin ed. p. 576*]

Acts of the Apostolic See - Official Commentary 576. The beginning of the work is entrusted to us; may it please God to allow us to repeat this ministry. Therefore, venerable brothers, since we are addressing you all with the first letters, it seems fitting to touch upon some of the principal matters concerning which we have decided to devote our attention, so that, as your endeavors mature, they may also bear fruit more quickly. Firstly, since in every human society, whatever the reason for its coming together, the

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greatest interest lies in the associates striving for the same common goal, it is absolutely necessary that all dissensions and disagreements among Catholics, whatever they may be, cease to exist, that no new ones arise, but that all feel and think the same. For those who are enemies of God and of the Church well understand that any division among us is a victory for them; therefore, they have the best reason to strive, when they see Catholics united, to sow the seeds of discord among them, in order to break up that unity. How often, if this were to happen according to their will, would it be to the detriment of the religious cause! Therefore, let no one neglect the command of legitimate authority, simply because it is not pleasing to him; but let each one submit his own opinion to the authority to which he is subject, and obey it, according to the dictates of his conscience. Furthermore, let no private person, whether through books, diaries, or public sermons, presume to teach the doctrine of the Church. All know that to those to whom the Church has given the ministry by God, it is entirely proper to speak freely, when they wish; but the duty of others is to listen to the speaker with reverence and to obey his words. However, in matters about which, while preserving the faith and discipline, one can dispute on either side, without the judgment of the Apostolic See intervening, it is not permitted to say or defend anything. But let all discussions be free from all intemperance of speech, which can cause offense to charity; let each one express his opinion freely, but with modesty; let him not presume to –

[*Latin ed. p. 577*]

577 The acts of Pope Benedict XV permit that those who hold contrary opinions may, for this very reason, be declared suspect in the faith, or lacking in good discipline. Furthermore, we desire that our own [people] refrain from using those appellations which have begun to be used by some to distinguish Catholics from Catholics; for not only do these avoid profane novelties of words which neither agree with truth nor with equity, but also because great disturbance and confusion follow among Catholics. The nature and essence of the Catholic faith is such that nothing can be added to it, nor can anything be taken away; but all things are either affirmed or denied according to it. This is the Catholic faith, which, if each one does not believe faithfully and firmly, he will not be able to be saved. Therefore, it is not necessary to add anything to the profession of the Catholic faith; let each one simply declare: "I am a Christian by name, a Catholic by surname"; and let him strive to be what the name implies. Moreover, those who now contribute to the common good of the Catholic Church are not, as some suppose, merely required to adhere to certain questions in which nothing is gained; rather, they are required to strive with all their might to preserve the integrity of the faith and to protect it from every influence of error, following most closely that which Christ established as the guardian and interpreter of truth. Even today, there are not a few who, as the Apostle

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says, "having itching ears, they shall not endure sound doctrine; but according to their own desires shall they heap to themselves teachers; and shall turn away the hearing from the truth, and shall turn aside to fables." For the human mind, naturally endowed with great pride, has made truly incredible progress in the exploration of nature, thanks to God; but some, with their own presumed judgment, despise the authority of the Church, and have even gone so far as to doubt that the divine mysteries and all that God has revealed to men should be understood according to the capacity and genius of this age. Therefore, monstrous errors of Modernism have arisen, which Our Predecessor rightly called "the compendium of all heresies," and solemnly condemned.

[*Latin ed. p. 578*]

Acta Apostolicae Sedis - Commentarium Officiale 578. Nos, igitur, venerabiles Fratres, hanc condemnationem, quantacumque est, hic iteramus; et, quoniam non usqueque omnis res est tam pestifera, lues, sed etiam nunc hic illae, quamvis latenter, serpit, caveamus omnes diligentissime, hortamur, aqua vis huius contagione mali; de quo quidem aptum est quod Iob alia de re dixerat: "Ignis est usque ad perditionem devorans, et omnia eradicans genimina." Nec vero tantum ab erroribus catholici homines abhorreant, sed a *b ingenio etiam*, seu spiritu, ut aiunt, Modernistarum: quo spiritu qui agitur, is qui quid sapit vetustatem fastidiose respuit, avide autem ubivis novum requirit: in ratione loquendi de rebus divinis, in celebritate cultus divini, in catholicis institutis, in privata ipsa exercitatione pietatis. Ergo sanctam haberi volumus a maioribus legem: "Nihil innovetur, nisi quod traditum est;" quae lex tametsi inviolata servanda est in rebus Fidei, tamen ad eius normam dirigendas sunt etiam, quae mutationem pati possunt; quamquam in his ea quoque regula plerumque valet: "Non nova, sed noviter." Iam, quia, venerabiles Fratres, ad profitendam aperte Fidem catholicam atque ad vivendum congruenter Fidei, plurimum homines fraternis hortamentis mutuisque exemplis inflammari solent, ideo Nos alias atque alias excitari consociationes catholicas et quidem vehementer gaudemus. Atque illae non solum optamus ut crescant, sed volumus Nostro etiam patrocinio studioque semper floreant: florebunt autem, modo praescriptionibus quae haec Apostolica Sedes iam dedit vel datura eis est, constanter, fideliterque obtemperarint. Quotquot igitur, earum participessocietatum, pro Deo Ecclesiaque contendunt, ne sinant unquam sibi excidere quod Sapientia clamat: "2 Loquetur victoria; Vir obediens nisi enim Deo paruerint, per obsequium in Ecclesiae ducem, nec divinam sibi conciliabunt opem, et frustra contendent."

1 Iob.

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2 Prov. XXI, 28. XXXI, 12.

[*Latin ed. p. 579*]

The Acts of Pope Benedict XV, 579. That these matters – concerning which we await a favorable outcome – may bear fruit, you know, venerable Brothers, that the prudent and diligent efforts of those whom Christ the Lord sent forth as laborers into His vineyard, that is, the clergy, are necessary. Therefore, you understand that your principal concern must be directed towards fostering a fitting sanctity among those who are within your jurisdiction, and towards ensuring that those who are students of the sacred disciplines are instructed in the best principles and precepts, so that they may conform to the sacred ministry. You are urged to do this with the utmost diligence – although your diligence does not require encouragement – and we also implore you. For there is no greater benefit to the good of the Church than this: and since our predecessors, the blessed Popes Leo XIII and Pius X, have already accomplished much in this regard, we have little more to add. We only ask that the acts of those most wise Pontiffs, especially Pope Pius's Exhortation to the Clergy, be not forgotten, but be diligently observed. However, one thing must not be passed over in silence: we wish to remind all priests, as our most beloved sons, how important it is, both for their own salvation and for the fruit of the sacred ministry, that they be most closely united with and obedient to their own Bishop. Indeed, because of that elevation of spirit and that stubbornness which are characteristic of these times, not all, as we have deplored above, are devoted to the sacred office; and it often happens that pastors of the Church encounter pain and opposition, from which they rightfully expect support and assistance. But those who so miserably neglect their duty should also remember that their authority is divine, for it is the Holy Spirit who has placed bishops to govern the Church of God; and if, as we have seen, they resist God, then how much more do they sin who resist any legitimate authority, especially those who refuse to obey bishops, whom God has consecrated with the seal of His power. Since charity, as Saint Ignatius Martyr says, does not allow me to remain silent concerning you, I therefore hasten to warn you... 1 Act. XX, 28.

[*Latin ed. p. 580*]

Acta Apostolicae Sedis - Commentarium Officiale 580, ut unanimi sitis in sententia Dei. Etenim Jesus Christus, inseparabilis nostra vita, sententia Patris est, ut et Episcopi, per tractus terrae constituti, in sententia Patris sunt. Unde decet vos in Episcopi sententiam concurrere. Quemadmodum autem 1 Martyr illustris, ita omnes, quotquot fuerunt, Patres et Doctores Ecclesiae locuti sunt. — Ad haec, nimis grave, propter difficultates quoque temporum, sacri Pastores ferunt onus; graviore etiam in sollicitudine sunt de gregis concredita salute: Ipsi enim pervigilant, quasi rationem pro 2

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animabus vestris redditurі. Nonne fideles dicendi sunt, qui eis, obsequium debitum recusando, id oneris, id sollicitudinis augent? Obey your prelates and be subject to them. For they watch as being to render an account of your souls: that they may do this with joy and not with grief. For this is not expedient for you, 3 diceret istis Apostolus: idque propterea quia Ecclesia 4 est plebs sacerdoti adunata, et pastori suo grex adhaerens; ex quo sequitur, cum Ecclesia non esse, quicumque Episcopo non sit. Et nunc, venerabiles Fratres, in harum exitu litterarum, sponte dedit animus ad illud, unde initium scribendi fecimus; atque huius calamitosissimi belli finem, tum societati hominum, tum Ecclesiae, iterum omnibus precibus imploramus; hominum quidem societati, ut, reconciliata cum fuerit pax, in omni civili et humana cultu vere progrediatur: Ecclesiae autem Iesu Christi, ut, nullis iam impedimentis retardata, pergat in vis et parte terrarum opem et salutem hominibus afferre. — Ecclesia sane iam multo diutius non ea, qua oportet, plena libertate fruitur; scilicet ex quo caput eius Pontifex Romanus illo coepit carere praesidio, quod, divina providentia enuta, labentibus saeculis nactureraat ad eamdem tuendam libertatem. Hoc autem sublato praesidio, non levis catholicorum turbatio, quod necesse erat fieri, secuta est: quicumque enim Romani Pontificis se filios profiterunt, omnes, et qui prodesunt et qui procul, iure optimo exigunt, neque ad dubitari, quin communis 1 2 3 4 In Epist. ad Ephes., III. Hebr. xiii, 17. Ibid. 17. S. Cypr. « Florentio cui et Puppiano ep. 66 (al. 69) ».

[*Latin ed. p. 581*]

581 The acts of Pope Benedict XV, under the administration of these [his predecessors], truly and clearly demonstrate that he is free from all human power. Therefore, greatly desiring that peace be established among the nations, we also desire that the Head of the Church cease to be involved in such a condition, which, not in name only, greatly harms the tranquility of the people. Therefore, concerning these matters, which our predecessors have repeatedly brought up, not through human reasoning, but moved by the sanctity of their office, in order that the rights and dignity of the Apostolic See may be defended, we renew them here for the same reasons. It remains, venerable brothers, that since the will of God is the primary means by which an end can be put to the atrocities and inconveniences that we have mentioned, we raise our voice in supplication to God, and, in the name of all mankind, we cry out: "Give peace, O Lord, in our days." He who said of Himself: "I am the Lord... I make peace," may He quickly turn His mercy towards our prayers, so that the disturbances and tumults that afflict both civil and religious society may be calmed. May the most blessed Virgin Mary, who bore the Prince of Peace, be with us; and may she receive our humility, our pontifical ministry, and indeed the Church, and the souls of all men, redeemed by the divine blood of her Son, under her maternal protection. May the heavenly gifts be a testament to our benevolence, and

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we impart to you, venerable brothers, to your clergy and people, our most heartfelt apostolic blessing. Given in Rome, at St. Peter's, on the feast of All Saints, November 1, 1914, in the first year of our pontificate. 1 Isaiah 40, 6-7. BENEDICT ACTS, VOL. VI, no. 18. — November 1, 1914. POPE XV.

[*Latin ed. p. 582*]

Acts of the Apostolic See - Official Commentary 583 t. LETTER TO THE REVEREND FATHER PASCHAL MORGANTI, ARCHBISHOP OF RAVENNA AND BISHOP OF CERVIA, CONCERNING THE SECULAR CELEBRATIONS TO BE HELD IN HONOR OF SAINT ALIGHIERO. Venerable Brother, greetings and the apostolic blessing. — To us, who, undeservedly, have been called by the eternal Author to govern the Catholic Church, you have wished to offer a testimony of devotion and observance, and, on behalf of the group that is working to prepare secular celebrations in honor of Saint Alighiero, in the sixth year immediately following the century in which that most illustrious of poets passed away in this ancient city. This, in fact, demands a demonstration of our veneration and piety, and we wish to express to you, with heartfelt letters, a joy that is by no means insignificant, and to offer you and the other members of your group our most sincere thanks. As for your noble undertaking, we must first observe that our illustrious predecessors, whose footsteps we strive to follow, have always been patrons of the liberal arts and literature, and have bestowed exceptional praise, honors, and rewards upon those men who, with the swiftness of their genius and the abundance of their studies, brought glory to their own age and commended their name to posterity. Among these, Alighiero certainly deserves to be included, for, since Homer departed from that most ancient age, we do not know if anyone can be compared to him. But, moreover, there is something even greater, a particular reason why we believe that the secular celebrations of his memory should be recalled by us with grateful remembrance and the highest honors: namely, because Alighiero is ours. For the Florentine poet, as is well known, combined the study of nature with the study of religion, and conformed his mind to the precepts drawn from the most intimate faith of the Catholic Church, and nurtured his soul with higher and purer sentiments of humanity and justice. And although, afflicted by the harshness of exile and spurred by the demands of his studies, he sometimes seemed to deviate from the fairness of judgment, it never happened that he himself strayed from the truths of Christian doctrine. Who would deny that the flame of genius and the poetic virtues of our Dante were so nourished and strengthened by the inspiration of the Catholic faith that he sang of the mysteries of religion with a song almost divine? Therefore, let it be seen with grateful remembrance and the

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highest honors.

[*Latin ed. p. 583*]

To all Catholics, wherever they may be throughout the world, greetings. The form which you have proposed for honoring the memory of Aligheri, established by the group mentioned above, is so fitting that it seems to surpass all others. For what could be more appropriate for properly honoring the memory of the poet, whose excellence in verse was so great that he deserved to be called divine, and who, through his verses, transmitted the highest truths of the faith, both before and after him, than to restore the temple where he spent the last days of his life, where his funeral rites were performed, and where his glorious remains rest in peace? Therefore, for these reasons, the form which you have established for this celebration is highly pleasing to Us; for it is closely connected with the Catholic faith, and is not only perfectly suited to Catholics, but also befits the religion of the immortal poet. For this reason, We eagerly accept your proposal that a noble and generous competition arise among all Catholics, even those from the most distant regions of the world, in honoring the memory of this great poet, a competition that will be worthy of the Christian name and of the poet himself.

As for Us, We do not wish to withhold Our commendation of your thoughtful and well-conceived plan for the Aligherian celebrations, which you have already received from Our predecessor, Pope Pius X, of blessed memory. Moreover, because it is Our desire to contribute to the restoration of the church of San Francisco, so that it may be restored to its former dignity and beauty, and that it may be worthy of the remains of so great a man, We have decided to allocate ten thousand Italian lire, which We have arranged to be sent to you.

In the meantime, as a token of Our goodwill and as a witness to the unifying power of these endeavors, We impart to you, venerable Brother, and to all the clergy and faithful entrusted to your care, Our apostolic blessing, through Jesus Christ our Lord.

Given at Rome, near St. Peter's, on the twenty-eighth day of October, in the first year of Our pontificate.

BENEDICT XV.

[*Latin ed. p. 584*]

584 Acta Apostolicae Sedis - Official Commentary, DIARY OF THE ROMAN CURIA, SECRETARY OF STATE. By means of documents from the Secretary of State, the Holy Father has deigned to appoint: November 13, 1914. — The Most Reverend Cardinal Pietro Gasparri, Secretary of State of His Holiness, Member of the Supreme Sacred Congregation of the

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Holy Office. — The Most Reverend Cardinal Gaetano Bisleti, Protector of the primary Catholic artistic and worker association of mutual charity in Cattolica. — Monsignor Guglielmo Sebastiani, Dean of the Sacred Roman Rota, and Monsignor Federico Tedeschini, Substitute of the Secretary of State, Consultors of the Supreme Sacred Congregation of the Holy Office. — Monsignor Domenico Sbarretti, titular Archbishop of Ephesus and assessor of the Supreme Sacred Congregation of the Holy Office, Consultor of the Sacred Congregation of Rites. — Monsignor Professor Giuseppe Palica, Monsignor Professor Salvatore Luzio, and the Reverend Professor Giacomo Sole, Consultors of the Sacred Congregation of the Council. November 17. — The Most Reverend Cardinal Gaetano Bisleti, Protector of the monastery of Mary Most Holy of the Seven Sorrows.

[*Latin ed. p. 585*]

Year VI. - Volume VI. November 25, 1914. No. 19. ACTA APOSOLICAE SEDIS. OFFICIAL COMMENTARY. ACTA OF POPE BENEDICT XV. ENCYCLICAL LETTER "TO THE MOST BLESSED PRINCE OF THE APOSTLES." DATED NOVEMBER 1, 1914. AUTHENTIC VERSIONS.

I. TO THE VENERABLE BROTHERS, PATRIARCHS, PRIMATES, ARCHBISHOPS, BISHOPS, AND OTHER ORDINARIES IN PEACE AND COMMUNION WITH THE APOSTOLIC SEE.

BENEDICT XV. TO THE VENERABLE BROTHERS, GREETINGS AND APOSTOLIC BENEDICTION.

As soon as, through the inscrutable counsels of divine Providence, We were called, without any merit of Our own, to take Our seat upon the Chair of the most blessed Prince of the Apostles, We, hearing as it were directed to Our own person that very voice which Our Lord Jesus Christ addressed to Peter: "Feed my lambs, feed my sheep," immediately turned Our gaze with inexpressible affection to the flock entrusted to Our care: a flock truly immense, for it embraces, in one respect or another, all men. For indeed, however numerous they may be, all were freed from the servitude of sin by Jesus Christ, who offered the price of His Blood for them; and there is no one... (1 John, 21:15-17). ACTA, Volume VI, No. 19. - November 25, 1914. 43.

[*Latin ed. p. 586*]

586 Acta Apostolicae Sedis - Commentarium Officiale, so that anyone might be excluded from the benefits of this redemption. Therefore, the Divine Shepherd can rightly say that, while one part of the human race is already daringly received into the fold of the Church, He will gently draw the other towards it: "And other sheep I have that are not of this fold: them also I must bring. And they shall hear my voice: And there shall be one fold and one shepherd." We confess, Venerable Brothers, that the first sentiment we felt in our hearts, and which was surely kindled by divine goodness,

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was an incredible surge of affection and desire for the salvation of all men; and upon assuming the Pontificate, we conceived the same vow that Jesus Christ expressed already near the hour of His death on the Cross: "And now I am not in the world, and these are in the world, and I come to thee. Holy Father, keep them in thy name whom thou hast given me: that they may be one, as we also are." Therefore, when from this height of the Apostolic dignity we were able to contemplate with a single glance the course of human events, and we saw before us the miserable condition of civil society, we truly felt a sharp pain. And how could it be, that having become Father of all men, we would not be torn apart by the sight that Europe, and with it the whole world, presents, a spectacle perhaps the most somber and the most lamentable in the history of times? Truly, those days have arrived, of which Jesus Christ foretold: "And you shall hear of wars and rumours of wars. See that ye be not troubled. For these things must come to pass... Nation shall rise against nation, and kingdom against kingdom." The terrifying specter of war dominates everywhere, and there is scarcely another thought that occupies the minds now. Great and flourishing nations are on the battlefields. What wonder, therefore, if, well-equipped as they are with those horrible means that the progress of military art has invented, they engage in gigantic slaughters? There is no limit to the ruins, no limit to the massacres: every day the earth is again drenched in blood and covered with the dead and the wounded. And who would say that these peoples, armed against each other, descend from the same progenitor, that they are all of the same nature and all parts of the same human society? Who would recognize them as brothers, children of the same Father, who is in heaven? And meanwhile, while on one side and the other vast armies are fighting, the nations, the families, the individuals groan in the pains and miseries of war; the ranks of widows and orphans are multiplied enormously, day by day; commerce languishes, due to interrupted communications; the fields are abandoned; the arts are suspended; the rich are in distress, the poor in squalor, all in mourning. John 10:16. Ibid., 17:11. Matthew 24:6, 7.

[*Latin ed. p. 587*]

Acta Benedicti PP. XV 587. Moved by such grave evils, We, from the very threshold of Our Supreme Pontificate, deemed it Our duty to collect the last words uttered by the lips of Our Predecessor, a Pope of illustrious and most holy memory, and to begin Our Apostolic ministry by repeating them: and thus We earnestly implored both Princes and Governors that, considering how many tears and how much blood have been shed, they hasten to restore to their peoples the vital benefits of peace. May God, mercifully, grant that, just as at the appearance of the Divine Redeemer on earth, so at the beginning of Our office as His Vicar, the angelic voice announcing peace may resound: "Glory to God in the highest." And may those who hold the destinies of peoples in their hands hear this voice, We pray them. Certainly,

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there are other ways, there are other means, by which injured rights may be vindicated; let them resort to these, laying down arms in the meantime, sincerely animated by a right conscience and by willing minds. It is our charity towards them and towards all nations that compels Us to speak, not Our own interest. Let them, therefore, not allow Our voice, as a father and a friend, to fall on deaf ears.

But it is not only the present, bloody war that afflicts the nations and saddens and troubles Our spirit. There is another furious war, which gnaws at the very bowels of modern society: a war that frightens every sensible person, because, while it has accumulated and will continue to accumulate much ruin upon the nations, it must also be considered itself the true origin of the present, most grievous struggle. Indeed, since the norms and practices of Christian wisdom, which alone guaranteed the stability and tranquility of institutions, have been abandoned in the ordering of the state, the states have necessarily begun to waver in their foundations, and such a change has occurred in ideas and customs that, unless God intervenes soon, the collapse of human society seems already imminent. The disorders that We observe are these: the lack of mutual love among men; the contempt for authority; the injustice of the relationships between the various social classes; material goods made the sole objective of human activity, as if there were no other, and far better, goods to be attained. These, in Our opinion, are the four factors of the struggle that so gravely disrupt the world. Therefore, diligent efforts must be made to remove these disorders, by reviving the principles of Christ.

[*Latin ed. p. 588*]

Acta Apostolicae Sedis - Commentarium Officiale 588: Christianity, if one truly intends to quell every conflict and to set in order society, rests upon nothing other than the foundation of fraternal love. Jesus Christ, descended from heaven for this very purpose, to restore among men the kingdom of peace overturned by the hatred of Satan, desired no other foundation than that of fraternal love. Therefore, those words of His, so often repeated: "Mandatum novum do vobis: ut diligatis invicem; Hoc est praeceptum meum, ut diligatis invicem; Haec mando vobis, ut diligatis invicem," as if His entire mission and task here were reduced to this, that men should love one another reciprocally. And what arguments did He not employ to lead us to this love? "Look up," He said to us: "Unus est enim Pater vester qui in caelis est." To all, without regard for Him to any difference of nations, the difference of languages, the opposition of interests, He puts the same prayer on their lips: "Pater noster qui es in caelis." He assures us, moreover, that this heavenly Father, in order to pour forth His benefits, makes no distinction even of merits: "Qui solem suum oriri facit super bonos et malos, et pluit super iustos et iniustos." He also declares that we are all brothers: "Omnes autem vos fratres estis;" and brothers to Him:

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"Ut sit ipse primogenitus in multis fratribus." Then, something that is most effective in stimulating us to fraternal love even towards those whom our native pride despises, He went so far as to identify Himself with the lowliest of men, in whom He wishes to be reflected the dignity of His own person: "And the king answering shall say to them: Amen I say to you, as long as you did it to one of these my least brethren, you did it to me." What more? At the very point of leaving life, He earnestly prayed to the Father that all who had believed in Him might be one with one another through the bond of charity: "Sicut tu, Pater, in me, et ego in te." And finally, hanging on the cross, He poured out all His Blood upon us, so that, molded and formed into a single body, we might love one another reciprocally with the power of that same love which one member bears to another in a single body.

[*Latin ed. p. 589*]

Acta Benedicti PP. XV 589. Alas, nowadays men behave differently. Perhaps more than ever today, talk is had of human brotherhood; indeed, it is claimed, forgetting the words of the Gospel and the work of Christ and His Church, that this zeal for brotherhood is one of the most precious aspects of modern civilization. However, the truth is this: never has human brotherhood been so disregarded as in these present days. Racial hatreds are carried to extremes; more than by borders, peoples are divided by rancor; within the same nation and within the walls of the same city, the classes of citizens burn with mutual animosity, and among individuals, everything is governed by selfishness, made the supreme law. You see, venerable Brothers, how necessary it is to make every effort so that the charity of Christ may once again reign among men. This will always be Our objective, and this the special endeavor of Our Pontificate. Let this also be, We exhort you, your study. We never cease to impress upon minds and to put into practice the saying of the Apostle Saint John: "And now I beseech thee, lady, not as writing a new commandment to thee, but that which we have had from the beginning, that we love one another." Certainly, pious institutions, of which our times abound, are good and commendable; but they will only produce a real benefit when they contribute in some way to fostering in hearts the love of God and of neighbor; otherwise, they are worthless, for "qui non diligit, manet in morte." 1 2 We have said that another cause of social upheaval consists in this, that generally, the authority of those who command is no longer respected. For from the day that every human power sought to free itself from God, Creator and Lord of the universe, and to be considered as originating from the free will of men, the bonds between superiors and subjects have weakened so much that it almost seems as if they have disappeared. An unrestrained spirit of independence, combined with pride, has gradually infiltrated everywhere, sparing not even the family, where power clearly originates from nature; and indeed, what is more deplorable, it has not always stopped at the threshold of the Sanctuary.

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Hence the contempt for laws; hence the insubordination of the masses; hence the impudent criticism of what authority decrees; hence the many ways devised to render ineffective the force of power; hence the terrible crimes of those who, professing anarchy, do not hesitate to attack both the property and the lives of others. 1 John, ii, 23. 2 Ibid., iv, 14.

[*Latin ed. p. 590*]

590 Acta Apostolicae Sedis - Commentarium Officiale

Faced with this monstrosity of thought and action, detrimental to every form of social existence, We, constituted by God guardians of the truth, cannot but raise Our voice, and We remind the peoples of that doctrine which no human decree can alter: "Non est potestas nisi a Deo; quae autem sunt, a Deo ordinatae sunt." Therefore, every power that is exercised on earth, whether it be of a sovereign or of a subordinate authority, has God as its origin. From this, St. Paul deduces the duty of obedience, not in any manner whatsoever, but for conscience' sake, to the commands of those who are invested with power, unless they are opposed to divine laws: "Wherefore be subject of necessity: not only for wrath, but also for conscience' sake." And in conformity with these precepts of St. Paul, the same Prince of the Apostles also teaches: "Let every soul be subject to higher powers. For there is no power but from God: and those that are ordained of God." From this premise, the same Apostle of the Gentiles infers that he who rebels against legitimate human powers rebels against God and incurs eternal damnation: "Therefore, he that resisteth the power resisteth the ordinance of God. And they that resist purchase to themselves damnation."

Let this be remembered by Princes and rulers of peoples, and let them consider whether it is a wise and salutary counsel, for public powers and for states, to sever ties with the holy religion of Christ, which is so powerful a support of authority. Let them reflect well whether it is a measure of wise policy to banish the doctrines of the Gospel and of the Church from public teaching! A fatal experience demonstrates that where human authority is despised, religion is banished. It happens to societies what happened to our first father, after he had fallen. Just as in him, as soon as the will was rebelled against God, the passions ran wild and disavowed the empire of the will; so too, when those who rule the peoples despise divine authority, the peoples, in turn, scorn human authority.

Certainly, the usual expedient of resorting to violence remains to suppress rebellions: but to what purpose? Violence represses bodies, it does not triumph over the will.

Therefore, when the two elements of cohesion of every social body are removed or weakened, namely, the union of the members among themselves through mutual charity, and the union of the members themselves with the head through submission to authority, what wonder, venerable

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Brothers, that the society of today...

[*Latin ed. p. 591*]

The acts of Pope Benedict XV, 591, depict a society divided as if into two great armies, fiercely and ceaselessly battling one another. Opposed to those to whom fortune has granted favor, or whose own efforts have brought a certain abundance of goods, are the proletarians and laborers, inflamed with hatred and envy, because, while sharing the same essential constituents, they do not find themselves in the same condition as those. Naturally, being infatuated as they are by the deceptions of agitators, to whose suggestions they are ordinarily most docile, who could persuade them that, although men are equal by nature, it does not follow that all must occupy the same rank in the social order, but that each has that position which, with his own talents, unhindered by circumstances, he has acquired? Therefore, when the poor contend with the wealthy, as if these had unjustly appropriated a portion of another's goods, they not only offend justice and charity, but also reason, especially because they themselves, if they wished, could, through the effort of honorable labor, improve their own condition. The consequences, no less disastrous for individuals than for society, that this class hatred brings about, it is superfluous to state. We all see and lament the frequency of strikes, by which the life of the city and nation is immediately halted in the most necessary operations; likewise, the threatening riots and disturbances, in which it often happens that arms are taken up and blood is shed. We do not wish to repeat here the reasons that clearly demonstrate the absurdity of Socialism and other similar errors. Our Predecessor, Leo XIII, treated these matters with great skill in memorable Encyclicals, and you, venerable Brothers, strive, with your customary zeal, that these authoritative teachings never fall into oblivion, and that, indeed, in Catholic associations, in congresses, in sacred discourses, in the Catholic press, there should always be a wise effort to illustrate them and to instill them according to the needs. But, above all, we do not doubt that we must repeat, with all the arguments that the Gospel provides us, and that human nature itself and those very public and private interests offer, that we should strive to exhort all men to love one another fraternally, in virtue of the divine precept of charity. Fraternal love will certainly not eliminate the diversity of conditions and, therefore, of classes. This is not possible, just as it is not possible that in an organic body all the members have the same function and the same dignity. Nevertheless, it will cause the higher to bend towards the lower and to treat them not only according to justice, as is necessary, but with benevolence, with affability, with tolerance; and the lower, in turn, to regard the higher with a desire for their well-being

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and with trust in their.

[*Latin ed. p. 592*]

592 Acta Apostolicae Sedis - Commentarium Officiale: In hoc, venerabiles Fratres, sicut in una familia, ubi fratres minores confidunt in auxilio et protectione maiorum. Sed, venerabiles Fratres, illa mala quae usque nunc lamentati sumus, radicem profundioris habent; et si ad eradicandam non concurrunt omnium virorum proborum effortiones, vana est spes consequendi illud quod desideramus, nempe tranquillitatem stabilis et duraturam in humanis relationibus. Quae sit haec radix, Apostolus docet: *Radix... omnium maiorum est cupiditas.* Et inquit, si bene consideretur, ex hac radice omnia mala quae nunc socium affligunt originem trahunt. Quando, scilicet, per scholas perniciosas, ubi cor aetatis tenerae, tam plastice ut cera, formatur, per impressionem improbam quae mentes multitudinis inexpertarum docet, et per alias vias quibus opinio publica dirigitur; quando, dico, in animos penetravit error mortifer, quod homo non debet sperare statum felicitatis aeternae; quod hic, hic ipse, potest beatus esse fruendo divitiis, honoribus, voluptatibus huius vitae, non est mirabile quod tales homines, natura ex necessitate ad beatitudinem apti, eodem impetu quo ad adquirenda illa bona trahunt, repellant ab se quavis obsistentia quae eos detineat aut impediat. Quia enim haec bona non aequabiliter inter omnes distribuuntur, et est officium auctoritatis socialis impedire ut libertas individualis transgredatur et se auferat aliorum, inde nascitur odium contra potestate publicam, inde invidia pauperum erga eos qui fortunae faveantur, inde tandem pugna inter diversas classes civium, alii ut quicquid desit, ad omnia costa adquirant et erumpant, alii ut quod possident conservent et augeant.

Hoc enim statum rerum praevidens, Jesus Christus Dominus noster, per sublime sermonem montis, perspicue explicavit quae sint verae beatitudines hominis in terra, et, ut ita dicam, fundamenta philosophiae christianae posuit. Hae praecepta etiam adversariis Fidei videri sunt thesaurus incomparabilis sapientiae, et perfectissima norma moralitatis religiosa: et ceterum omnes consentire possunt quod ante Christum, veritatem absolutam, nihil simile in hac materia, nec quidquam a pari gravitate et authoritate, nec tam alti sensus, ullus umquam ab aliquo inculatus sit. Nunc, totum secretum huius philosophiae consistit in hoc quod ea quae vulgo bona vitae mortalis appellantur, sunt simplicia apparentia boni, et ideo... *1 Tim., vi, 10.*

[*Latin ed. p. 593*]

593 The acts of Pope Benedict XV do not demonstrate that human happiness can be achieved through worldly pleasures. On the contrary, the authority of divine faith teaches that riches, glory, and pleasure do not bring happiness; indeed, if we truly desire to be happy, we must, out of

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love for God, renounce them: "Blessed are the poor in spirit." "Blessed are they that now hunger." "Blessed when men shall hate you, and separate you, and reproach you, and cast out your name as evil. Vale, that is to say, through the pains, misfortunes, and miseries of this life, if, as is our duty, we patiently endure them, we open the way for ourselves to possess those true and imperishable goods which God has prepared for those who love Him. But this important teaching of the Faith is, unfortunately, neglected by many, and completely forgotten by some. It is incumbent upon us, Venerable Brothers, to revive it in men; otherwise, neither man nor human society will ever know peace. Therefore, we say to those who are afflicted or unfortunate, not to fix their gaze on the earth, which is a place of exile, but to lift it to heaven, to which we are directed; for "we have here no abiding city, but seek a city to come." And amidst the adversities with which God tests their perseverance in serving Him, let them often reflect on the reward that is reserved for them, if they emerge victorious from this trial: "For that which is at present momentary and light of our tribulation worketh for us above measure, exceedingly an eternal weight of glory." Finally, let us strive with all our power and with all our activity to revive among men the faith in supernatural truths, and at the same time, the esteem, the desire, and the hope for eternal goods; let this be the first of your missions, Venerable Brothers, and the principal aim of the clergy, and also of all those of our sons who, united in various associations, zealously strive for the glory of God and the true good of society. For as the feeling of this faith grows in men, so will the feverish desire for the vain goods of the earth diminish, and gradually the unrest and social conflicts will subside.

And now, if we set aside civil society and turn our thoughts to what is proper to the Church, there is, without doubt, reason for our spirit, pierced by so much calamity of the times, to be at least somewhat comforted. Indeed, apart from the arguments that offer themselves most luminously, of that divine virtue and indefectibility...

[*Latin ed. p. 594*]

The Acts of the Apostolic See - Official Commentary 594, offer us not a small consolation, those illustrious fruits which Our Predecessor, Pope Pius X, left to us after having adorned the Apostolic See with the examples of a life entirely holy. Indeed, through his efforts, we see a universally awakened religious spirit among the clergy; the piety of the Christian people renewed; action and and discipline promoted in Catholic societies; the sacred hierarchy established where it did not exist, and expanded where it did; provision made for the education of the young clergy, in accordance with the strictness of the canons, and, insofar as necessary, according to the nature of the times; every danger of rash innovations removed from the teaching of the sacred sciences; the art of music brought back to serve worthily the majesty of the sacred functions, and the decorum of worship

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increased; and Christianity widely propagated through new missions of heralds of the Gospel. These are, in truth, great merits of Our Predecessor towards the Church, merits of which posterity will retain a grateful memory. However, since the field of the family head is always, so permitting God, exposed to the machinations of the enemy, it will never be the case that we should not labor in it, lest the flourishing of the tares damage the good harvest. Therefore, considering, as has been said to Us, what God said to the prophet: "Lo, I have set thee this day over the nations, and over kingdoms, to root up, and to pull down, and to waste, and to destroy, and to build, and to plant." (Jer 1:10) we will always take the utmost care to remove every evil and to promote every good, until it pleases the Shepherd of Shepherds to call Us to account for the exercise of Our mandate.

Therefore, O Venerable Brothers, as we address this first Encyclical Letter to you, we deem it fitting to mention some of the principal points to which we intend to dedicate Our special care; so that, by striving with your zeal to support Our work, the desired fruits may be obtained more readily. And first of all, since in every human society, whatever the reason for its formation, the first element of every collective endeavor is the union and concord of minds, We must devote special attention to quelling dissensions and discord among Catholics, whatever their nature, and to preventing others from arising in the future, so that among Catholics there may be one mind and one purpose.

The enemies of God and of the Church well understand that any dissension...

[*Latin ed. p. 595*]

The acts of Pope Benedict XV, in the year 595, concerning our city of Naila, marked a victory for us; therefore, they frequently employ this method: when they see Catholics united, they shrewdly sow seeds of discord among them, striving all the more to break their unity. May Heaven grant that this method has not so often achieved its desired outcome, to the great detriment of religion! Therefore, when the legitimate authority issues a command, it is permissible for no one to transgress it simply because they dislike it; rather, each person should submit their own opinion to the authority to which they are subject, and obey it out of conscience. Similarly, no private individual, whether by publishing books or newspapers, or by giving public speeches, should act as a teacher within the Church. Everyone knows to whom God has entrusted the magisterium of the Church; therefore, let that person have free rein to speak when and as they deem it appropriate. It is the duty of others to give respectful attention to what he says, and to obey his word. Regarding those matters concerning which the Holy See has not yet pronounced its judgment, it is certainly permissible for everyone to express and defend their opinion, provided that they do so without compromising the faith

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or discipline. But in such discussions, one must avoid all excess of words, from which serious offenses to charity can arise; let each person freely defend their opinion, but let them do so with courtesy, and let them not believe that they can accuse others of suspected faith or of lacking discipline simply because they think differently from them. Furthermore, let our people beware of those appellations that have recently begun to be used to distinguish Catholics from Catholics; and let them strive to avoid them, not only because they are profane novelties of words that do not correspond to either truth or justice, but also because they give rise to great agitation and confusion among Catholics. Catholicism, in what is essential to it, admits of neither more nor less: "This is the Catholic faith, which, unless someone believes it faithfully and firmly, it will not be possible to be saved;" either it is professed entirely, or it is not professed at all. Therefore, there is no need to add epithets to the profession of Catholicism; let each person simply say: "Christian is my name, and Catholic is my surname;" and let them strive to be truly what they call themselves. Moreover, from among our people who have dedicated themselves to the common good of the Catholic cause, the Church today requires something far greater than this.

[*Latin ed. p. 596*]

596 Acta Apostolicae Sedis - The official commentary indicates that it is too lengthy to linger on matters from which no benefit is derived; rather, it requires that they strive with all their power to preserve the Faith intact and safe from every breath of error, especially following the example of He whom Christ appointed as guardian and interpreter of the Truth. Today, there are also, and they are not few, those who, as the Apostle says, "whose ears itch for hearing; and they gather to themselves teachers according to their own desires, and turn away the ears from the truth, but turn aside to fables." Indeed, puffed up and emboldened by the great concept they have of human thought, which, thanks to God, has achieved incredible progress in the realm of nature, some, trusting in their own judgment and despising the authority of the Church, have reached such a point of audacity that they have not hesitated to attempt to measure, with their own intelligence, even the depths of the divine mysteries and all revealed truths, and to adapt them to the tastes of our times. Consequently, the monstrous errors of Modernism arose, which Our Predecessor rightly declared to be "a synthesis of all heresies," solemnly condemning them. Such condemnation, venerable Brothers, We renew here in its entirety; and since this pestilent contagion has not yet been completely eradicated, but, although latent, still lurks here and there, We exhort everyone to be on guard against the danger of contracting it; for of such a plague, it could be repeated what Job said of another thing: "It is a fire that devoureth even to destruction, and rooteth up all things that spring." Not only do We desire that Catholics flee from

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the errors of the Modernists, but also from their tendencies and from what is called the Modernistic spirit; from which, whoever is infected, immediately rejects with disgust everything that is ancient and becomes an avid seeker of novelty in every single thing, in the way of speaking about divine things, in the celebration of the sacred liturgy, in Catholic institutions, and even in the private exercise of piety. Therefore, We want the ancient law to remain intact: "Nihil innovetur, nisi quod traditum est" (Nothing should be changed unless it has been handed down); which law, while it must be inviolably observed in matters of Faith, must also serve as a norm in all that is subject to change; although even in this, the general rule applies: "Non nova, sed noviter" (Not new, but anew). But since, venerable Brothers, men are more often spurred to an open profession of the Catholic Faith and to a life consistent with it, more than by anything else, by fraternal exhortations and mutual good... 2 Timothy, iv, 3, 4. Job, XXXI, 12.

[*Latin ed. p. 597*]

597 The Acts of Pope Benedict XV, for example, demonstrate this; therefore, We are greatly pleased that new Catholic associations continue to arise. And We not only desire that these flourish, but We want their growth to benefit from Our protection and favor: and this growth will not fail, provided they constantly and faithfully obey those prescriptions that were or will be given by the Apostolic See. Therefore, let all those who, enrolled in such associations, dedicate their efforts to God and the Church, never forget the words of Divine Wisdom: "Vir obediens loquetur victoriam" [Prov. 21:28], because if they do not obey God through obedience to the Head of the Church, they will vainly expect help from Heaven and will also labor in vain. But that all these things may be accomplished with the outcome We desire, you well know, Venerable Brothers, that the prudent and diligent work of those whom the Lord Christ has sent as "operarios in messem suam" [Matthew 9:37], that is, the clergy, is necessary. Therefore, understand that your principal concern must be to increasingly sanctify, as the sacred state demands, the clergy you already have, and to properly form, through the most disciplined education, the students of the Sanctuary for so venerable a service. And although your diligence does not need encouragement, We nevertheless exhort and implore you to fulfill this duty with the utmost zeal. This concerns a matter of capital importance for the good of the Church; but, since Our predecessors of blessed memory, Leo XIII and Pius X, have treated this matter specifically, it is not necessary to add further advice. We only desire that those documents of such wise Popes, and especially the *Exhortatio ad Clerum* of blessed memory of Pius X, through your insistent efforts, never fall into oblivion, but be always scrupulously observed. Furthermore, We do not wish to remain silent about this: We remind priests throughout the world, Our most beloved children, of the absolute necessity, both for their personal benefit and for

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the effectiveness of their ministry, of remaining closely united and fully devoted to their Bishops. Unfortunately, from the spirit of insubordination and independence that now prevails in the world, not all, as We sorrowfully mentioned above, are free from this: and there are not rare the sacred pastors who find anxieties and contradictions precisely where they should expect comfort and help. Now, if anyone so miserably fails in their duty, let them reflect and meditate well that the authority of Bishops is divine, to whom...

[*Latin ed. p. 598*]

598 Acta Apostolicae Sedis - Commentarium Officiale 1. The Holy Spirit has appointed men to govern the Church of God. Furthermore, consider that, as we have seen, he who resists any legitimate authority resists God; and the conduct of those who refuse to obey the Bishops, whom God has consecrated in a special manner to exercise His divine power, is all the more irreverent. "For charity," as the holy martyr Ignatius wrote, "does not allow me to remain silent concerning you; therefore, I urge you beforehand, that you may be of one mind with God." For Jesus Christ, our inseparable life, is the mind of the Father; and likewise, the Bishops, established throughout the earth, are in the mind of the Father. Therefore, it is fitting that you should concur in the mind of the Bishops. And the words of that illustrious martyr have been, through every age, the words of all the Fathers and Doctors of the Church. It should be added that the burden that the Bishops carry is already too heavy, even considering the difficulties of the times; and even more grievous is the anxiety in which they live, because of the responsibility of guarding the flock entrusted to them: "Obey your prelates and be subject to them. For they watch as being to render an account of your souls." Therefore, should one call cruel he who, through his own insubordination, increases their burden and bitterness? "For this is not expedient for you," the Apostle would say to such people; and this is because "the Church is a people gathered to a priest and a flock adhering to its shepherd." Therefore, he who is not with the Bishops is not with the Church.

2. Now, venerable Brothers, at the end of this Letter, Our heart spontaneously returns to that place from which we wished to begin. It is the word of peace that returns to Our lips; and therefore, with fervent and insistent prayers, we invoke once again, for the good of both society and the Church, the end of the present disastrous war. For the good of society, that, once peace is achieved, it may truly progress in every branch of progress; for the good of the Church of Jesus Christ, that, not being hindered by further obstacles, it may continue even in the most remote regions of the earth to bring comfort and salvation to men. Unfortunately, for a long time the Church has not enjoyed that freedom of which it is in need; and this is since its Head, the Supreme Pontiff, began to lack that protection, which, by the

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arrangement of divine Providence, He had obtained over the centuries for the sake of tutela.

[*Latin ed. p. 599*]

Acta Benedicti PP. XV, 599, *libertà*. The lack of such security has caused, as was indeed inevitable, a considerable disturbance among Catholics: for those who profess themselves to be the sons of the Roman Pontiff, both near and far, have the right to be assured that their common Father, in the exercise of his apostolic ministry, is truly free from every human power, and absolutely free. Therefore, to the vote for a prompt peace among the nations, We also join the desire for the cessation of the abnormal state in which the Head of the Church finds himself, and which greatly harms, in many respects, the tranquility of the peoples. Against such a state, We renew the protests which Our Predecessors, prompted not by human interests, but by the sanctity of duty, issued more than once; and We renew them for the same reasons, that is, to protect the rights and the dignity of the Apostolic See. It remains, O Venerable Brothers, that since the hearts of the Princes and of all those to whom it belongs to put an end to the atrocities and the damages which We have recalled, are in the hands of God, let us raise our voice to God, and, in the name of all humanity, let us cry out: *Da pacem, Domine, in diebus nostris*. And He who said of Himself: *Ego Dominus...faciens pacem*, may He, appeased by our prayers, soon calm the stormy waves, by which civil society and religious society are agitated. May the most blessed Virgin, who conceived the very Prince of Peace, assist us favorably; and may she receive under her maternal protection Our humble person, Our pontifical ministry, the Church, and with it the souls of all men, redeemed by the divine Blood of her Son. Under the auspices of these heavenly gifts and as a pledge of Our benevolence, We impart, with all Our heart, the apostolic blessing to You, to Your clergy, and to Your people. Given in Rome, near Saint Peter's, on the 1st of November, 1914, on the feast of All Saints, in the first year of Our Pontificate. 1 1 Isaiah, XLV, 6-7. BENEDICT PP. XV.

[*Latin ed. p. 600*]

Acta Apostolicae Sedis - Official Commentary 600 II TO THE PATRIARCHS, PRIMATES, ARCHBISHOPS, BISHOPS, AND OTHER ORDINARIES OF THE CATHOLIC WORLD IN PEACE AND COMMUNION WITH THE APOSTOLIC SEE. BENEDICT XV VENERABLE BROTHERS, GREETINGS AND APOSTOLIC BENEDICTION.

Scarcely had We been called, by the secret designs of Providence, without any merit of Our own, to take Our seat upon the Chair of the blessed Prince of the Apostles, than, considering the words of Our Lord Jesus Christ addressed to Saint Peter as directed to Ourselves: "Feed my lambs, feed my sheep," We turned Our gaze, with the greatest affection,

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towards the flock entrusted to Our care, a flock truly immense, since it embraces, in one aspect or another, the entirety of mankind. For all, as such, have been redeemed from the servitude of sin by Jesus Christ, who offered His blood as the price for them, and there is none who is excluded from the benefits of this redemption. Therefore, the divine Shepherd could say of all mankind that, in part, He already keeps it enclosed within the confines of His Church, and that the other will be compelled to enter therein by the gentle constraints of His love: "And other sheep I have that are not of this fold: them also I must bring. And they shall hear my voice: And there shall be one fold and one shepherd."

Moreover, We will not conceal from you, Venerable Brothers, that the first sentiment We experienced, under the evident impulse of divine goodness, was an irresistible movement of love and zeal to work for the salvation of all men, so that, in accepting the charge of the Supreme Pontificate, We made Our own the vow expressed by the Savior, on the eve of His Passion: "And now I am not in the world, and these are in the world, and I come to thee. Holy Father, keep them in thy name whom thou hast given me: that they may be one, as we also are."

Now, as soon as We, from the summit of the Apostolic dignity, embraced with Our gaze the course of human affairs, We were seized by a keen sorrow, in contemplating the deplorable conditions of...

[*Latin ed. p. 601*]

The acts of Pope Benedict XV, page 601, concerning civil society. Indeed, having become the common father of all men, would we not have had our hearts violently torn by the spectacle presented by Europe, and indeed the entire world, a spectacle certainly the most terrible and most desolate ever seen in human memory? It truly seems that those days have arrived of which Jesus Christ spoke: "You have heard of a war, and of wars... Nation shall rise against nation, and kingdom against kingdom." Everywhere, the sad image of war dominates, and there is, so to speak, no other thought that occupies the minds. Nations – the most powerful and most important – are at war: is it to be wondered at that, armed with terrible weapons, due to the latest advances in military art, they aim, so to speak, to destroy each other with refinements of barbarity? There are no limits to the ruins and carnage: each day, the earth, flooded by new streams of blood, is covered with the dead and the wounded. To see these peoples armed against each other, would one suspect that they descend from the same father, that they have the same nature, and are part of the same human society? Would they be recognized as the sons of the same Father who is in Heaven? And while immense armies fight with ferocity, suffering and pain, sad companions of war, fall upon states, families, and individuals: each day sees an immeasurable increase in the number of widows and orphans; commerce languishes, lacking communication; the fields are abandoned, industry is

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silenced; the rich are in distress, the poor are in misery, all are in mourning. Deeply moved by these calamities, We have, from the beginning of Our pontificate, felt it Our duty to recall the last words that came from the mouth of Our predecessor, a Pope of illustrious and most holy memory, and to prelude, by repeating them, to the exercise of Our Apostolic office. We have therefore addressed urgent prayers to princes and rulers, so that, considering how many tears and how much blood war has already shed, they hasten to restore to their peoples the precious benefits of peace. May the God of mercies grant that, at the dawn of Our pontificate, as at the birth of the divine Redeemer, of whom We are the Vicar, the words of the angelic choir may resound: "Glory to God in the highest." May We be heard by those who hold in their hands the destinies of peoples! There are, without doubt, other ways, other means, that would...

[*Latin ed. p. 602*]

602 Acta Apostolicae Sedis - Official Commentary: to repair any rights that may have been violated. Let them resort to this, suspending their hostilities, animated by justice and good will. It is our love for them and for all nations that compels us to speak in this way, and not our own self-interest. Let them not cast aside in vain the prayer of a father and a friend. But it is not only the present war, with its horrors, that is the cause of the misfortunes of peoples, and that provokes our anxieties and alarms. There is another evil, inherent in the very depths of human society, a disastrous evil, which frightens all sensible people, for, in addition to the devastation it has already caused and will continue to cause in the various states, it can rightly be considered the true cause of the terrible present war. Indeed, since the precepts and rules of Christian wisdom, which are an indispensable condition for public stability and tranquility, have ceased to govern the states, these states have begun, as a necessary consequence, to waver in their foundations, and there has been such a disturbance in ideas and morals that human society is rushing towards ruin, unless God hastens to come to its aid. For we see indeed: the absence of mutual kindness in the relationships between men; contempt for authority; unjust struggles between the different classes of citizens; a disordered craving for perishable goods, as if there were no others, far superior, offered to human activity. These, in our opinion, are the four main sources of disorder, from which come the very serious disturbances of society, and against which all efforts must be united, by recourse to the principles of Christianity, if we wish seriously to restore order and peace in the states. And first, when He descended from heaven precisely to restore among men the reign of that peace, destroyed by the envy of Satan, Our Lord Jesus Christ did not wish for any other foundation for this restoration than that of charity. Hence these recommendations, so often repeated: "Mandatum novum do vobis, ut diligatis invicem" (John 13:34); "Hoc est praeceptum meum, ut diligatis

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invicem" (John 15:12); "Haec mando vobis, ut diligatis invicem" (John 17:17).

[*Latin ed. p. 603*]

603 The Acts of Pope Benedict XV urge us, all, to lift our eyes to heaven: For one is your Father, who is in heaven; to all, without regard for differences of nationality, language, or interests, He teaches us the same formula of prayer: Our Father, who art in heaven; moreover, He affirms that this heavenly Father, in the distribution of natural blessings, does not consider the merits of each: Who makes his sun to rise upon the good and the bad, and rains upon the just and the unjust. He also tells us that we are all brothers: But all you are brethren; and that we are His brethren: That He may be the firstborn among many brethren. To excite us very effectively to fraternal love, even towards those whom our proud nature despises, He wants us to recognize even in the smallest the dignity of His own Person: And the king answering shall say to them: Amen I say to you, as long as you did it to one of these my least brethren, you did it to me. Moreover! At the end of His life, He prays to His Father with fervor, that all who believe in Him may be one in Him, through the bond of charity: As you, Father, are in me, and I in you. Finally, hanging on the cross, He pours out all His blood upon us, so that, being fashioned and as it were kneaded into one body, we may love one another, as the members of one body love each other. 1 2 3 4 5 6 7 But alas! It is quite otherwise among men of our time. Perhaps never before, more than now, has there been talk of human brotherhood: They do not even hesitate to set aside the teachings of the Gospel, the work of Jesus Christ and the Church, and to claim, nevertheless, that this zeal for brotherhood is one of the most precious fruits of modern civilization. However, to tell the truth, brotherhood has never been less practiced than in these days. Racial hatreds are carried to the extreme; peoples are divided by their grudges more than by their borders; within the same nation and within the walls of the same city, the different classes of citizens are jealous of each other, and among individuals, everything is regulated by selfishness, which has become the supreme law. You see, venerable Brothers, how necessary it is to make every possible effort, so that the charity of Jesus Christ may be renewed 1 2 3 Matthew, XXIII, 9. Ibid., VI, 9. Ibid., V, 45. 4 Ibid., XXIII, 8. 5 Born, VIII, 29. Matthew, XXV, 40. John, XVII, 21. 6 7

[*Latin ed. p. 604*]

The Acts of the Apostolic See - Official Commentary 604: Our concern is for souls: this will be Our objective, and as a special endeavor of Our Pontificate: We exhort you also to make this the goal of your zeal. Let us never cease to repeat to the faithful, and to demonstrate in our actions, the words of Saint John: *Ut diligamus alterutrum.* Certainly, and commendably, are the institutions of charity, so numerous in our time, but provided that they

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contribute to fostering in hearts the true love of God and neighbor; only then will they be of solid utility: otherwise, they are of no value, for he who does not love remains in death.

We have said that another cause of social unrest consists in the fact that generally, respect for the authority of those who command is no longer observed. Indeed, from the day when it was desired to place the origin of all human power, not in God the Creator and Master of the Universe, but in the free will of man, the bonds of subordination which should attach the inferior to the superior have weakened to the enough of disappearing, or nearly so. A reckless spirit of independence, accompanied by obstinate pride, has gradually permeated all minds, sparing not even domestic society, where paternal authority so clearly derives from nature itself; and, what is even more deplorable, even the sanctuary itself has not been spared from this pernicious influence. From this comes contempt for the laws, from this insubordination of the masses, from this brazen criticism of what is commanded, from this a thousand pretexts invented to undermine the strength of power, from this the atrocious deeds of those who, professing to recognize no law, respect neither the property nor even the lives of their fellow men.

In the face of this corruption in ideas and conduct, which tends to the destruction of all human society, We cannot remain silent, We to whom has been entrusted from on high the magisterium of truth: We remind the peoples of this doctrine which cannot be altered by any human will: Let every soul be subject to higher powers. For there is no power but from God: and those that are ordained of God. Whoever, therefore, is a depositee of power among men, whether sovereign or subordinate, it is in God that the origin of his authority resides. Therefore, Saint Paul proclaims the obligation to obey, not in any way, but religiously, that is, by conscience, those who command in virtue of their authority, unless they...

[*Latin ed. p. 605*]

The acts of Pope Benedict XV, number 605, prescribe something contrary to divine laws: "Wherefore be subject of necessity: not only for wrath, but also for conscience' sake." In accordance with the words of Saint Paul, is found the teaching of the Prince of the Apostles himself: "Be subject to every human creature for God's sake: whether it be to the king, as being the most excellent; or to governors, as being by him sent." From this doctrine, the Apostle of the Gentiles deduces that to stubbornly resist a legitimate human power is to resist God and to prepare for oneself eternal punishment: "Therefore, he that resisteth the power resisteth the ordinance of God. And they that resist purchase to themselves damnation." A warning to princes and rulers: let them remember, and let them consider whether it is prudent and of practical utility, both for public authorities and for states, to separate themselves from the holy religion of Jesus Christ, from which their power

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draws so much strength and solidity. Let them reflect and consider whether it is in accordance with wise policy to wish to exclude the doctrine of the Gospel and of the Church from the government and public instruction of youth. Experience has demonstrated this too often: the authority of men is without strength where religion is absent. Indeed, societies are like our first father, once he had failed in his duty. Scarcely had his will been separated from God, than his passions, with frenzy, repudiated the empire of the will; likewise, scarcely have governments scorned divine authority, than the people, in turn, mock human authority. There remains, of course, the customary expedient, the use of force, to suppress revolts; but to what profit? Force may repress bodies, but not minds. 1 3 3 As soon as this double element of cohesion of every social body has been removed or weakened, namely, the union of members among themselves by mutual charity, and the union of the members themselves with the head by submission to authority, who could be surprised, venerable Brothers, to see the present society divided as if into two camps, which maintain against each other a continual and fierce struggle? Facing those who possess wealth, due to their inheritance or their labor, stand the proletarians and the workers, burning with hatred and envy, because, sharing the same nature, they do not share the same advantages. Once indeed they have been seduced by the deceptions of the leaders, whose slightest suggestions they ordinarily adopt. 1 2 3 Rom., XIII, 5. 1 Peter, II, 13, 14. Rom., XIII, %.

[*Latin ed. p. 606*]

606 Acta Apostolicae Sedis - Commentarium Officiale: "N'est-il pas juste de leur faire comprendre que, bien qu'égaux par nature, cela ne signifie pas qu'ils doivent avoir la même situation dans la vie, mais que chacun, sauf des circonstances défavorables, occupe la place qu'il s'est procuré par sa conduite ? Et ainsi, lorsque les pauvres attaquent les riches, comme si ces derniers s'étaient emparés du bien d'autrui, ils agissent non seulement contre la justice et la charité, mais encore contre le bon sens, étant donné qu'ils pourraient, s'ils le voulaient, améliorer par un travail honnête leur propre condition. - Quelles conséquences, non moins désastreuses pour les individus que pour la société, cette haine de classes engendre, il est superflu de le rappeler. Nous voyons et déplorons la fréquence des grèves, qui interrompent subitement le cours de la vie civile et nationale dans ses opérations les plus nécessaires; il en est de même des soulèvements populaires et des agitations, où l'on en vient souvent à l'emploi des armes et à l'effusion du sang. Nous ne voulons pas répéter ici les arguments qui réfutent avec évidence les erreurs des socialistes et d'autres de ce genre. Cette démonstration a été magistralement présentée par Notre prédécesseur Léon XIII, dans ses mémorables Encycliques: pour vous, vénérables Frères, vous veillerez, avec votre sollicitude habituelle, à ce que ces graves enseignements ne soient jamais perdus de vue; bien

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plus, vous ferez en sorte, que dans les associations et dans les congrès catholiques, dans les prédications, dans les publications religieuses, on s'attache à les mettre en lumière et à les inculquer, suivant que les circonstances l'exigeront. Mais par-dessus tout - et cela Nous n'hésitons pas à le redire en recourant à tous les arguments que nous trouvons soit dans l'Évangile, soit dans la nature humaine, soit dans les intérêts du public et des particuliers, efforçons-nous d'exhorter tous les hommes à s'aimer entre eux comme frères, en vertu du précepte divin de la charité. Cet amour fraternel n'aura pas pour effet de faire disparaître la variété des conditions, ni par conséquent la diversité des classes sociales, pas plus que dans un corps vivant il n'est possible à tous les membres d'avoir la même fonction ni la même dignité. Toutefois, cette affection mutuelle fera que les plus élevés s'abaisseront en quelque sorte vers les plus humbles, et les traiteront, non seulement selon la justice, comme cela doit être, mais encore avec bienveillance, douceur et patience: les humbles de leur côté se complairont dans la prospérité des personnes plus élevées et en attendront l'appui avec confiance; tout comme, dans une même famille, les plus jeunes se reposent sur la protection et l'assistance des aînés."

[*Latin ed. p. 607*]

Moreover, venerable Brothers, these evils, whose ravages We have lamented until now, have a deeper root, the destruction of which demands the efforts of all good men, lest We never attain the realization of Our desires, namely, the restoration of stable and lasting tranquility in human relations. What is this cursed root? The Apostle teaches us: "The root of all evils is cupidity." And indeed, if one reflects, it is to this root that the diseases afflicting present-day society are attached. For once, through the action of corrupt schools upon the souls of young children, malleable as wax; through the perversity of writers, who daily or at intervals corrupt the minds of inexperienced crowds, and through all other means employed to shape public opinion, once, We say, this supremely pernicious error has been instilled into minds, that man has no reason to hope for an eternal state of blessedness; that here on earth, yes, here on earth, he can be happy by enjoying the riches, the honors, and the pleasures of this life; how can one be surprised if these human beings, naturally made for happiness, are violently drawn, as they are, towards these fleeting goods, and with no less energy reject any obstacle that delays or prevents their acquisition? Since these goods are not equally shared among all, and as civil authority has the duty to prevent the freedom of individuals from exceeding its bounds and seizing the goods of others, it follows that the public powers are hated, that those deprived of fortune burn with jealousy towards those who are favored by it, and that, finally, there is strife between the different classes of citizens, through the efforts of some to attain at all costs and seize what is lacking to them, and through the resistance of others to retain what they

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possess and even to increase it.

It is in anticipation of this state of affairs that Our Lord Jesus Christ, in the sublime Sermon on the Mount, expressly specified what the true beatitudes of man on earth are, and, as it were, laid the foundations of Christian philosophy. In these maxims, even the adversaries of our Faith have found an incomparable treasure of wisdom and the most perfect theory of religious morality: assuredly, it is recognized by all that, before Jesus Christ, who is the very Truth, nothing similar had been taught, nor with the weight of such authority and such love for humanity. Now, the intimate and secret reason for this philosophy consists in this, that the so-called goods of this mortal life have only the appearance of... (I Tim., vi, 10).

[*Latin ed. p. 608*]

Acts of the Apostolic See - Official Commentary 608. Indeed, these things, without truly possessing them, and consequently, true happiness for man cannot reside in their enjoyment. It is God Himself who affirms this: so far are riches, glory, and pleasure from bringing happiness, that if we truly wish to be happy, we must rather deprive ourselves, for the love of God, of all these false goods: "Blessed are the poor in spirit," "Blessed are they that now weep," "Blessed are you, when men shall hate you, and when they shall separate you, and shall reproach you, and shall cast out your name as evil." This amounts to saying that sorrows, calamities, and miseries of this life, provided we endure them properly, will open the way for us to possess those true and eternal goods, *quae praeparavit Deus iis qui diligunt illum*. But this doctrine of the Faith, a doctrine so important, is neglected by the majority, and many seem even to have completely forgotten it. Therefore, venerable Brothers, it is necessary to revive it in the minds of all; otherwise, neither man nor human society will have peace. To all those who groan under the weight of some adversity, we must recommend that they not fix their eyes on the earth, which is only a place of exile, but that they raise them to heaven, to which we are destined, for *non habemus hic manentem civitatem, sed futuram inquirimus*. And in the midst of the afflictions through which God tests their constancy in serving Him, let them frequently consider the excellence of the reward prepared for them, if they come forth victorious from this trial. For *quod in praesenti est momentaneum et leve tribulationis nostrae, supra modum in sublimitate aeternum gloriae pondus operatur in nobis*. Finally, to exert every effort and spare nothing to revive among the faithful the faith in supernatural truths, and at the same time, the esteem, the desire, and the hope of eternal goods, this must be your primary concern, both for you, venerable Brothers, and for the entire clergy, and for all those who, grouped in various associations, work to promote the glory of God and the true good of their neighbors. Indeed, to the extent that this faith grows among men, the immoderate desires for earthly goods will diminish, and

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gradually, with the awakening of charity, social unrest and contention will subside. 1 2 3 4 And now, if human affairs lead our thoughts to those of the Church, there will certainly be solace for our soul burdened by 1 Luke, VI, 20-22. 2 1 Corinthians, II, 9. 3 Hebrews, XIII, 13. 4 1 Corinthians, iv, 17. 4

[*Latin ed. p. 609*]

The acts of Pope Benedict XV, paragraph 609, mention certain reasons to regain courage amidst the current calamities. For, apart from the reasons so evident in themselves, drawn from the divine virtue and the infallibility possessed by the Church, We are not a little consoled by the benefits reported due to the very active pontificate of Our predecessor, Pope Pius X, in addition to the brilliant examples of His entirely saintly life. Indeed, through His efforts, We see the entire body of the Church inflamed with a fervent love for its state, the piety of the Christian people renewed; in Catholic associations, activity developed with discipline; here, episcopal sees established, there, new dioceses founded; the education of the young clergy restored to the rigor of the canons, and yet adapted, as much as is necessary, to the conditions of the present times; the teaching of sacred sciences freed from the danger of rash novelties; the art of music compelled to serve worthily the majesty of the sacred ceremonies, and the liturgy adorned with new splendor; the domain of religion greatly increased by the preaching of the heralds of the Gospel. Thus, Our Predecessor greatly merited the Church, and posterity will preserve a grateful memory of Him. However, since the field of the family is always, God permitting, exposed to the malice of the enemy, it will never happen that one need not work to prevent the luxuriant weeds from stifling the good grain. Therefore, considering the words of God addressed to His prophet, also applicable to Ourselves: "Lo, I have set thee this day over the nations, and over kingdoms, to root up, and to pull down, and to waste, and to destroy, and to build, and to plant," (Jer 1:10), whatever the evil to be averted, the good to be promoted, We will devote all Our care to it, as far as it is in Us, until the time when the Prince of Pastors shall deem fit to call Us to account for Our stewardship.

Now therefore, venerable Brothers, since We address You for the first time through these Encyclical Letters, it seems fitting to Us to indicate some of the main points on which We have proposed to focus Our special attention: in this way, your eagerness to support Our efforts will hasten the realization of the desired fruits. And first, as in any human society, whatever the reason for its formation, it is of the utmost importance for the success of the common endeavor that the members conspire towards a single goal;

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therefore, We must above all strive to put an end to dissensions...

[*Latin ed. p. 610*]

610 Acta Apostolicae Sedis - Official Commentary: Regarding the discords among Catholics, of whatever kind they may be; to prevent new ones from arising; to ensure that all are united in one thought and one action. The enemies of God and the Church well understand that any division among us, in the work of our defense, becomes a victory for them; therefore, they frequently resort to this tactic: when they see Catholics well united, they strive skillfully to sow seeds of discord among them and thus destroy their cohesion. God grant that this maneuver has not been too successful for them, to the great detriment of the religion! Therefore, as soon as legitimate authority has issued a positive decree, let no one evade it under the pretext that it displeases them; but let everyone subject their own views to the authority of the superior and obey him out of conscience. Likewise, let no individual, through the publication of books or newspapers, or through public speeches, arrogate to themselves the role of master in the Church. All know to whom God has entrusted the magisterium of the Church: to that person, full and complete freedom must be given to speak, when and as they deem proper; the duty of others is to listen to them with respect and to conform to their words. Furthermore, with regard to questions in which, without detriment to the faith or discipline, one may discuss the pros and cons, because the Holy See has not yet decided anything about them, no one is forbidden to express their opinion and to defend it; but in these discussions, let everyone abstain from any excess of language that could seriously offend charity; let everyone support their opinion freely, but let them do so with moderation, and let them not consider that, for this reason alone, they can reproach those who hold a contrary opinion with suspicion of faith or failure to observe discipline. We also desire that our own people abstain from certain appellations which have recently begun to be used to distinguish between Catholics and Catholics: these should be avoided, not only because they are profane novelties of words, which are neither in accordance with truth nor with justice, but also because they cause great agitation and confusion among Catholics. The Catholic faith is of such a nature that nothing can be added to it, nothing can be taken away from it: one either possesses it entirely, or one does not possess it at all: "Haec est fides catholica, quam nisi quisque fideliter firmiterque crediderit, salvus esse non poterit." No qualifications are needed to signify the profession of Catholicism; it is enough for each to say: "Christianus mihi nomen, catholicus cognomen." 1 1 Symb. Athanas.

[*Latin ed. p. 611*]

611 The Acts of Pope Benedict XV. Let us strive only to truly justify this appellation by facts. Furthermore, the Church expects much more from

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those of us who have dedicated ourselves to promoting the Catholic cause than to linger longer in matters of no benefit; she demands that we work with all our strength to preserve the Faith in its integrity and to protect it from every breath of error, primarily by following Him whom Jesus Christ appointed as the guardian and interpreter of truth. There are still, even in our day, those (and their number is not insignificant) who, as the Apostle says, "are itching to hear; and they gather to themselves teachers according to their own desires, and turn away the hearing from the truth, but turn aside to fables." Inflated and puffed up with their high opinion of the human intellect, which has certainly, with the help of God, made incredible progress in the exploration of nature, some, preferring their own judgment to the authority of the Church, have, in their temerity, come to judge the divine mysteries and all revealed truths according to their own intelligence, not hesitating to adapt them to the taste of the present age. Thus arose the monstrous errors of modernism, which Our Predecessor rightly proclaimed *collectum omnium haereseon* [the collection of all heresies] and solemnly condemned. This condemnation, venerable Brothers, We renew in its entirety, and because this pernicious contagion is not completely extinguished, but still creeps in here and there, albeit in a latent state, We exhort all to carefully guard against this dangerous pestilence, of which it may truly be said what Job said of another evil: "It is a fire that devoureth even to destruction, and rooteth up all things that spring." [Job 31:12] And We desire not only that Catholics detest the errors of the modernists, but also that they avoid their tendencies and their spirit: he who is infected with it repulses with disgust what smells of antiquity, he eagerly seeks out and everywhere embraces novelty, in the manner of speaking of divine things, in the celebration of sacred worship, in Catholic institutions, and even in the exercise of private piety. Therefore, We want this rule of our fathers to remain sacred: *Nihil innovetur, nisi quod traditum est* [Nothing should be innovated unless it is what has been handed down], which rule, if it must be followed inviolably in matters of Faith, should also serve as a standard in all that is subject to change, although in this latter point, the following maxim also often holds true: *Non nova, sed noviter* [Not new, but anew].

[*Latin ed. p. 612*]

Acts of the Apostolic See - Official Commentary 612. Moreover, venerable Brothers, as the open profession of the Catholic Faith and the courage to live in accordance with one's belief have customarily been fostered in most men through fraternal exhortations and mutual examples, We see with profound joy that, here and there, new Catholic associations are arising; and We not only desire their growth, but We intend that they receive from Our patronage and favor ever greater prosperity: this prosperity will depend on their constant and faithful obedience to the prescriptions they have

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received or will receive from the Apostolic See. Therefore, whoever, being a member of these societies, dedicates himself to God and to the Church, must never lose sight of what Wisdom proclaims: "A lying witness shall perish." For if they do not obey God through their submission to the Head of the Church, they will not gain divine assistance and will labor in vain.

1. But that all these results may be obtained in accordance with Our hopes, you know, venerable Brothers, how necessary is the prudent and attentive cooperation of those whom Our Lord has sent as "laborers into His harvest," that is, clerics. Therefore, you understand that your principal concern must be, with regard to those already invested with the priesthood, to develop in them holiness in accordance with their state, and with regard to the students of the seminary, you must carefully prepare them through excellent training for such a holy ministry. Although your zeal does not need to be stimulated to fulfill this duty, We exhort you and implore you to do so, for there is nothing more important for the good of the Church: as Our predecessors of blessed memory, Leo XIII and Pius X, have treated this matter expressly, We will not speak of it further; only We desire that, thanks to your vigilance and your constant recommendations, the instructions of these very wise Pontiffs, especially the *Exhortatio ad clerum* of Pius X, should never fall into oblivion, but be scrupulously observed.

However, there is one point that We cannot pass over in silence: to the priests of the whole world, whom We cherish all as Our sons, We wish to recall how necessary it is, both for their own salvation and for the effectiveness of their ministry, that they be very closely united and fully subject to their respective Bishops. It is, alas, too true, as We have hinted above, in Proverbs, XXI, 28.

[*Latin ed. p. 613*]

613 The acts of Pope Benedict XV lament that the ministers of the sanctuary are not all free from that spirit of independence and insubordination which is characteristic of the present times. It is not uncommon for pastors of churches to be saddened and troubled by those from whom they would rightfully expect help and comfort. If someone has strayed so far from his duty, he must seriously consider that the authority of those whom the Holy Spirit has placed to govern the Church of God is divine, and if, as We have shown, it is resisting God to resist any legitimate authority, then it is a far greater impiety to refuse obedience to the Bishops, whom God has consecrated and marked with the seal of His power. "Since charity does not allow me to remain silent concerning you," says Saint Ignatius, the martyr, "therefore I admonish you beforehand, that you may be of one mind with God. For Jesus Christ, our inseparable life, is the mind of the Father, and so also the Bishops, established throughout the earth, are in the mind of the Father. Therefore, you ought to concur in the mind of the Bishop." And what this illustrious martyr says, all the Fathers and Doctors of the Church

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have also said. Furthermore, the burden that already weighs heavily on the shoulders of the Bishops in these difficult times is already great; their concerns regarding the flock entrusted to them are even more painful: for they watch over you, as if they must give an account for your souls. Should we not consider those who, by their insubordination, increase this burden and these anxieties to be cruel? "For this is not pleasing to you," the Apostle would say, and this is because the Church is a people gathered together by priests, and the flock adhering to its pastor; therefore, it follows that to be not with the Church is to be not with its Bishop.

And now, venerable Brothers, in concluding these letters, Our spirit spontaneously turns to what We wrote at the beginning; and, once again, We implore, for the sake of human society and for the sake of the Church, the end of this disastrous war; for the sake of human society, that once peace is restored, it may truly progress in all civil and human culture; for the sake of the Church of Jesus Christ, that, finally free from all hindrance, it may go to all shores and to all parts of the world, bringing to men help and salvation. Alas! for too long already. Acts, XX, 28. In Epist. ad Ephes., III. Hebr., XIII, 17. Ibid. St. Cyprian, "To Florentius and Poppius, epistle 66 (or 69)."

[*Latin ed. p. 614*]

614 Acta Apostolicae Sedis - Official Commentary: The Church no longer enjoys the full freedom necessary to it; we mean, from the day when its Head, the Roman Pontiff, was deprived of the power and guarantee which, by divine Providence, He had obtained over the centuries to safeguard this very freedom. Once this power and guarantee were removed, it inevitably resulted in great anxiety among Catholics: for all those, whether near or far, who proclaim themselves sons of the Roman Pontiff, have a full right to demand that their common Father be truly, and even manifestly, free from all human power in the administration of his apostolic office. Therefore, while earnestly desiring that nations make peace as soon as possible, we also greatly desire that the Head of the Church cease to be in this abnormal condition, which, for many reasons, is also detrimental to the tranquility of peoples. Therefore, to the protests which Our Predecessors have repeatedly made on this point, moved as they were not by human reasons but by a sacred duty, that is, by the obligation to defend the rights and dignity of the Apostolic See, we wish to add Our own here, for the same reasons. Since the will of princes and of all those who can put an end to the horrors and disasters that we have recalled are in the hands of God, it remains for us, venerable Brothers, to raise our suppliant voice to God and to cry out on behalf of all mankind: "Give peace to our time, O Lord." May He who said: "I am the Lord... making peace," deign Himself, appeased by our prayers, to calm as soon as possible these tumultuous waves that are upsetting civil society and religious society. May the blessed Virgin be gracious to us, She

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who bore the "Prince of Peace," and may She take under Her maternal protection Our humble person, Our pontifical ministry, the holy Church, and the souls of all men, redeemed by the precious blood of Her divine Son. As a pledge of heavenly favors and as a testimony of Our benevolence, We most affectionately grant the apostolic blessing to you, venerable Brothers, to your clergy, and to your people. Given at Rome, near Saint Peter's, on the feast of All Saints, this 1st of November, 1914, in the first year of Our pontificate. 1 e r 1 Isai., XLV, 6, 7. BENEDICT XV.

[*Latin ed. p. 615*]

615 From the Acts of Pope Benedict XV, Section III, Addressed to Venerable Brothers, Patriarchs, Primates, Archbishops, Bishops, and other Ordinaries, in peace and communion with the Apostolic See.

BENEDICT, Pope XV, to Venerable Brothers, Greetings and Apostolic Benediction.

Scarcely having been raised, through inscrutable designs of divine Providence, and without any merit of our own, to occupy the Chair of the blessed Prince of the Apostles, We, considering as directed to Our Person those very words that Our Lord Jesus Christ spoke to Peter: "Feed my lambs, feed my sheep," immediately turned Our gaze, filled with the most ardent charity, towards the flock entrusted to Our care; a flock truly innumerable, since, for one reason or another, it embraces all men. For all, without exception, have been delivered from the slavery of sin by Jesus Christ, who shed His blood for the redemption of even them; and there is not one who is excluded from the benefit of this redemption; therefore, the divine Shepherd, who has already happily gathered a part of the human race into the fold of His Church, assures that He will lovingly draw in the other: "And other sheep I have that are not of this fold: them also I must bring. And they shall hear my voice: And there shall be one fold and one shepherd."

We confess sincerely, Venerable Brothers, that the first affection that stirred Our spirit, undoubtedly inspired by divine Goodness, was a vehement desire and love for the salvation of all men; and upon accepting the Pontificate, We made that very vow that Jesus Christ expressed at the point of death upon the cross: "And now I am not in the world, and these are in the world, and I come to thee. Holy Father, keep them in thy name whom thou hast given me: that they may be one, as we also are."

Now, scarcely having been given to contemplate, in a single glance, from the height of the Apostolic dignity, the course of human events, and seeing before Our eyes the sad condition of civil society, We truly experienced a profound sorrow.

[*Latin ed. p. 616*]

Acta Apostolicae Sedis - Commentarium Officiale 616 Y cómo podría Nuestro corazón, como Padre común de todos los hombres, dejar de con-

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moverse profundamente ante el espectáculo que presenta Europa, y con ella el mundo entero, un espectáculo quizás el más atroz y luctuoso que la historia de todos los tiempos ha registrado? Parece que, en realidad, han llegado aquellos días de los que Jesucristo profetizó: "Audituri estis praelio, et opiniones praeliorum..." "Consurget enim gens in gentem et regnum in regnum." El tristísimo fantasma de la guerra domina por doquier, y apenas hay otro asunto que ocupe los pensamientos de los hombres. Poderosas y opulentas son las naciones que pelean; por lo cual, ¿qué es extraño que, bien provistas de los horrorosos medios que en nuestros tiempos el arte militar ha inventado, se esfuercen en destruirse mutuamente con refinada crueldad? No tienen, por eso, límite ni las ruinas, ni la mortandad; cada día la tierra se empapa con nueva sangre y se llena de muertos y heridos. ¿Quién diría que los que así se combaten, tienen un mismo origen, participan de la misma naturaleza, y pertenecen a la misma sociedad humana? ¿Quién les reconocería como hermanos, hijos de un mismo Padre, que está en los Cielos? Y mientras que de una y otra parte formidables ejércitos pelean furiosamente, las naciones, las familias, los individuos sufren los dolores y miserias que, como triste cortejo, siguen a la guerra. Aumenta sin medida, de día en día, el número de viudas y de huérfanos; se paraliza, por la interrupción de comunicaciones, el comercio; están abandonados los campos, y suspendidas las artes; se encuentran en la estrechez los ricos, en la miseria los pobres, en el luto todos. Nos, conmovido por tan extrema situación, en el principio de Nuestro supremo Pontificado, creímos deber Nuestro recoger las últimas palabras de Nuestro Predecesor, Pontífice de ilustre y santísima memoria, y repitiéndolas, comenzar Nuestro apostólico ministerio; y conjuramos con toda vehemencia a los Príncipes y a los Gobernantes, a fin de que, considerando cuánta sangre y cuántas lágrimas habían sido derramadas, se apresurasen a devolver a los pueblos los soberanos beneficios de la paz. Y ojalá que, por la misericordia de Dios, suceda que, al empezar Nuestro oficio de Vicario suyo, resuene cuanto antes el feliz anuncio que los Ángeles cantaron en el Nacimiento del divino Redentor de los hombres: "Glory to God in the highest." Que Nos escuche.

[*Latin ed. p. 617*]

From the Acts of Pope Benedict XV, 617: "We implore those in whose hands the destinies of nations are held. Certainly, other means exist, and other procedures for vindicating one's rights, should they have been violated. Let them resort to these, laying down arms in the meantime, with loyal and sincere intention. It is charity towards them, and towards all nations, and not our own interest, that moves Us to speak in this way. Let them not allow this Our voice, as a friend and as a Father, to fall on deaf ears. But it is not only the present, grievous war that brings nations into misery and causes Us anguish and solicitude. Another grievous evil has penetrated even to the very depths of human society, and it has terrified

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all men of sound judgment, both because of the damage it has caused and will cause in the future to nations, and because, rightly, it is considered as the cause of the present, most lamentable war. Indeed, since the principles and practices of Christian wisdom, which guaranteed the stability and tranquility of order, have been abandoned in the governance of states, the nations have begun, as was inevitable, to waver in their foundations, and such a change has occurred in ideas and customs that, unless God remedies this soon, the destruction of human society seems imminent. Here are the disorders that We are witnessing: the absence of mutual love in the intercourse between men; the contempt for the authority of those who govern; the unjust struggle between the various social classes; the ardent desire with which fleeting and perishable goods are sought after, as if no other, and certainly much more excellent, things existed for man to attain. We believe that these four points contain as many causes of the most grievous disturbances that afflict human society. Therefore, all of Us must strive to ensure that these are completely eradicated, restoring the principles of Christianity, if true peace and order are to be established in common affairs. But, in the first place, Jesus Christ, having descended from Heaven to restore among men the kingdom of peace, which had been destroyed by the envy of Satan, did not wish to establish it upon any foundation other than that of charity. Therefore, He repeated so often: 'Mandatum novum do vobis, ut diligatis invicem' [John 13:34]; 'Hoc est praeceptum meum, ut diligatis invicem' [John 15:12]; 'Haec mando vobis, ut diligatis invicem' [John 17:17], as if He had not already said it."

[*Latin ed. p. 618*]

618 Acta Apostolicae Sedis - Commentarium Officiale, another mission which is that of making men love one another. And to achieve this, what kind of arguments did He refrain from using? He commands us all to lift our eyes to Heaven: "For there is one Father who is in heaven." He teaches all, without distinction of nations, of languages, or of interests, the same form of prayer: "Our Father, who art in heaven." Moreover, He affirms that the heavenly Father, when distributing natural blessings, makes no distinction of the merits of each individual: "Who makes his sun to rise upon the good and the bad: and he rains upon the just and the unjust." He also tells us, at times, that we are brothers: and at other times, He calls us brothers of Himself: "But all you are brethren." "That He might be the firstborn among many brethren." And, what has the greatest power to stimulate us to the highest degree in this fraternal love, even towards those whom our native pride despises, He wants us to recognize in even the smallest of men the dignity of his very person: "And the king answering shall say to them: Amen I say to you, as long as you did it to one of these my least brethren, you did it to me." What more? In the last moments of His life, He earnestly prayed to the Father that all those who were to believe in Him

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might be one in the bond of charity: "That they may all be one." Finally, hanging from the cross, He shed His blood upon all of us, so that, united closely, as forming a single body, we might love one another with a love similar to that which exists between the members of the same body. But things happen very differently in our times. Perhaps never before have so many words been spoken about human brotherhood as in our days; yet, without remembering the teachings of the Gospel, and postponing the work of Christ and of His Church, they do not consider this desire for brotherhood as one of the most precious fruits that modern civilization has produced. But, in reality, men have never been treated less fraternally than now. Extremely cruel are the hatreds engendered by differences of race; more than by borders, peoples are divided by mutual resentments; within the bosom of the same nation, and within the walls of the same city, the different social classes are the target of reciprocal malevolence; and private relationships are regulated.

[*Latin ed. p. 619*]

Acts of Pope Benedict XV, 619, concerning egoism, transformed into supreme law. You see, venerable Brothers, how necessary it is to strive with all our might that the charity of Jesus Christ may reign among men. This will always be our ideal, and the work proper to Our Pontificate; and We exhort you that this also be your aspiration. Let us not cease to instill in the hearts of men, and to put into practice, that which the Apostle Saint John says: "Diligamus alterutrum." Certainly, charitable institutions are excellent and highly commendable, and they abound in our days; but it must be borne in mind that they are truly useful only when they practically contribute in some way to fostering true charity towards God and towards our neighbors; but if they achieve nothing of this, they are useless: for "he who loveth not, abideth in death."

We have stated that another cause of the general disorder consists in the fact that the authority of those who govern is no longer respected. For from the moment that all human power was attributed, not to God, Creator and Lord of all things, but to the free will of men, the bonds of mutual obligation that must exist between superiors and subordinates have been loosened to the point of almost disappearing. For the immoderate desire for freedom, combined with stubbornness, has little by little invaded everything; and it has not even spared the domestic society, whose authority is clearer than the midday sun, and what is even more painful, it has penetrated even into the very sanctuary. From this comes the contempt for laws; from this, popular unrest; from this, the audacity to censure everything that is commanded; from this, a thousand devices invented to undermine discipline; from this, the monstrous crimes of those who, confessing that they lack all law, respect neither the goods nor the lives of others. Faced with such license in thought and action, which destroys the constitution of human

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society, We, to whom the divine magisterium of truth has been entrusted, cannot in any way remain silent: and We remind the people of that doctrine which cannot be changed by the whim of men: "Let every soul be subject to higher powers. For there is no power but from God: and those that are ordained of God." Therefore, every authority that exists among men, whether sovereign or subordinate, is divine.

[*Latin ed. p. 620*]

Acta Apostolicae Sedis - Commentarium Officiale 620 concerning its origin. Therefore, Saint Paul teaches that those invested with authority are to be obeyed, not in any way, but religiously, by obligation of conscience, unless they command something contrary to divine laws: "Wherefore be subject of necessity: not only for wrath, but also for conscience' sake." These words of Saint Paul are in agreement with other words of the same Prince of the Apostles: "Be subject therefore to every human creature for the Lord's enough: whether it be to the king, as being superior; or to governors, as being sent by him..." From this, the Apostle infers that whoever stubbornly resists the legitimate ruler, resists God, and becomes guilty of eternal punishments: "Therefore, he that resisteth the power resisteth the ordinance of God. And they that resist purchase to themselves damnation." Let princes and those who govern peoples remember this, and consider whether it is a prudent and salutary counsel, both for the public authority and for the citizens, to separate themselves from the holy religion of Jesus Christ, which lends so much strength and consistency to human authority. Let them meditate, again and again, whether it is a measure of wise policy to wish to disregard the doctrine of the Gospel and of the Church in maintaining social order, and in the public instruction of youth. Experience amply demonstrates that the authority of men perishes where religion is banished. It often happens to nations what happened to our first parent, immediately after he had sinned. Just as, in him, as soon as the will departed from the will of God, unrestrained passions rejected the dominion of the will, so too, when those who govern states despise the authority of God, the people are wont to mock their authority. They retain, it is true, force, and they are wont to use it to suppress rebellions; but to what avail? By force, bodies are subdued, but not spirits. Therefore, when that double bond of cohesion of every social body is loosened, namely, the union of the members among themselves, by mutual charity, and of the members with the head, by obedience to authority, who will marvel, venerable Brothers, that the present human society appears as divided into two great factions that fight fiercely and relentlessly against each other? Facing those whom fortune, or their own activity, has endowed with worldly goods, are the proletarians and

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workers, burning with hatred.

[*Latin ed. p. 621*]

The acts of Pope Benedict XV, 621, state that because they share the same nature, they do not, however, enjoy the same condition. Naturally, once they are infatuated by the fallacies of agitators, to whose influence they are entirely subject, who will be able to persuade them that it is not because men are equal in nature that they must occupy the same position in social life; but rather that each one will have that which he has acquired through his conduct, if circumstances are not adverse? Thus, the poor who fight against the rich, as if these had usurped the property of others, act not only against justice and charity, but also against reason; especially since they, if they wish, can improve their own fortunes through honest perseverance in work. What and how much harm this class rivalry brings, both to individuals in particular and to society in general, it is unnecessary to declare; we are all seeing and deploring the frequent strikes, in which the course of public and social life is often suddenly paralyzed, even in the most essential occupations; and likewise, those threatening uprisings and riots, in which, frequently, weapons are used and blood is shed. It seems unnecessary now to repeat the arguments that prove to the very evidence the absurdity of socialism and other similar errors. Our predecessor, Leo XIII, has already done so most wisely in memorable Encyclicals; and you, venerable Brothers, will take care with your diligence that such important teachings do not fall into oblivion, but are wisely illuminated and instilled, as the need requires, in the assemblies and meetings of Catholics, in sacred preaching, and in Catholic publications. But, above all, and we do not hesitate to repeat it, let us strive with all sorts of arguments, provided by the Gospel, by the very nature of man, and by public and private interests, to exhort all to love one another as brothers, conforming to the divine law of charity. The effectiveness of this fraternal love does not consist in making the diversity of conditions and classes disappear, a thing as impossible as it is for all members of a living body to have the same exercise and dignity, but in those who are higher lowering themselves, in a certain way, to the lower ones, and treating them not only with all justice, as it is their obligation, but also with kindness, gentleness, and patience; and the humble, in turn, should rejoice in the prosperity and trust in the support of the powerful, just as the younger son of a family places himself under the protection and care of the older one.

[*Latin ed. p. 622*]

However, venerable Brothers, the evils that we have lamented until now have a deeper root, and if the efforts of the good are not united to eradicate it, we will vainly hope to achieve that which all certainly desire, namely, the stable and lasting tranquility of social life. The Apostle declares what

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this root is: "The root of all evils is cupidity." For, it is evident that the evils that now afflict human society spring from this root. For when, in perverse schools, the tender age of childhood is molded like wax, and with the malice of certain writings, the minds of the inexperienced multitude are daily or periodically shaped, and with other similar means, public opinion is guided; when, we say, the most grievous error has been introduced into minds, that man is not to expect a state of eternal happiness, but that here, here below, he can be happy with the enjoyment of riches, of honors, of the pleasures of this life, no one will be surprised that these men, naturally inclined to happiness, with the same violence with which they rush to the conquest of such goods, reject everything that delays or impedes their attainment. But because these goods are not distributed equally among all, and it is the duty of public authority to prevent individual liberty from exceeding its limits and seizing what belongs to others, hence arises hatred of authority, and the envy of the less fortunate towards the rich, and the mutual struggles and contentions among the various classes of citizens, some striving at all costs to obtain what they lack, and others to preserve, and even increase, what they already possess.

Foreseeing such a state of affairs, Jesus Christ, our Lord, explained in that sublime sermon on the mountain what the true blessings of man on earth are, and, as it were, laid the foundations of Christian philosophy. Such teachings seemed to contain a singular and most perfect doctrine, both moral and religious, even to the most adverse to the faith; and, certainly, all agree that no one, before Christ, who is the very Truth, had ever taught anything similar in this matter, nor with such gravity and authority, nor with such elevated and loving sentiments. The secret and intimate nature of this philosophy consists in the fact that the so-called goods of this life have the appearance of good, but not the efficacy; and therefore, they are not truly good, so that their enjoyment cannot make anyone happy.

[*Latin ed. p. 623*]

623 The Acts of Pope Benedict XV speak of this. For, according to the word of God, the distance between riches, glory, and pleasures, and true human happiness, is so great that, if a man truly desires happiness, he must, for the love of God, deprive himself of these things: "Blessed are the poor in spirit." "Blessed are they that now weep: for they shall be comforted." "Blessed when men shall hate you, and despise you, and say all manner of evil against you, for His Name's sake." That is to say, through the pains, adversities, and miseries of this life, if we endure them with patience, as we ought, we ourselves pave the way to those true and eternal goods, which God has prepared for those who love Him. However, many neglect these important teachings of the faith, and many have completely forgotten them. Therefore, venerable Brothers, it is necessary to renew all hearts according to them. In no other way will men achieve peace, nor will human society.

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Therefore, let us exhort those who suffer any adversity not to fix their gaze on the earth, in which we are but pilgrims, but to raise them to Heaven, to where we are journeying: "For here we have no abiding city, but we seek a city that is to come." And amidst the adversities with which God tests constancy in His divine service, let them frequently consider what reward is reserved for them when they emerge victorious from this struggle. "For that which is at present momentary and light, whether of trouble or glory, shall be made abundantly more glorious in an everlasting weight of glory." Finally, it must be your principal endeavor, venerable Brothers, as well as that of the clergy and all of ours, who, united in various associations, strive to promote the glory of God and the true common good, to dedicate ourselves with all effort and zeal to the rebirth in men of faith in supernatural truths, and also, of appreciation, desire, and hope for eternal goods. For as this faith grows among men, the immoderate desire to attain the false goods of the earth will decrease in them, and as charity is reborn, gradually the struggles and social conflicts will cease.

Now, if, setting aside civil society, we turn our thoughts to consider ecclesiastical matters, we certainly have reasons for our spirit, wounded by the general calamity of these times, to at least receive some relief; for, in addition to the proofs, which are clearly presented, of divine virtue and firmness.

[*Latin ed. p. 624*]

The Acts of the Apostolic See – An Official Commentary. The consolations which the Church enjoys are not few. They are offered to us by the illustrious fruits which Our Predecessor, Pope Pius X, left to us after having illuminated the Apostolic See with the examples of a holy life. Indeed, through his efforts, the spirit of religion has been inflamed everywhere among the clergy; the piety of the Christian people has been awakened; action and discipline have been promoted in the associations of Catholics; sees have been founded in some places and multiplied in others; the education of the young has been brought into conformity with the demands of the canons, and, where necessary, with the conditions of these times; the dangers of rash innovations have been removed from the teaching of the sacred sciences; the art of music has been compelled to serve worthily the majesty of the sacred functions; the decorum of the Liturgy has been increased, and the name of Christ has been widely spread through new missions of evangelical preachers. These are truly great merits of Our Predecessor for the Church, of which posterity will retain a grateful memory. However, since the field of the family, by divine permission, is always exposed to the malice of the enemy, it will never happen that it does not require labor, so that the abundant tares may not suffocate the good grain. Therefore, as was also said to us, what God said to the Prophet: "Lo, I have set thee this day over the nations, and over kingdoms, to root up, and to pull

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down, and to waste, and to destroy, and to build, and to plant." (Jeremias 1:10). Therefore, for our part, we will take the utmost care to remove every evil and promote every good, until it pleases the Prince of Pastors to call us to account for our ministry.

And now, venerable Brothers, as we address you through this first Encyclical, we believe it is fitting to indicate some principal points, to which we have resolved to dedicate our special care; so that, by your zeal, you may support our intentions, and the desired fruits may be obtained more quickly. And above all, since in every society of men, whatever the reason for their association, the first thing required for the success of the common endeavor is the unity and concord of minds, we will resolutely strive to put an end to the dissensions and discord that exist among Catholics, and to prevent others from arising; so that among Catholics there may be only one sentiment and one action. The enemies of God and of [the Church] know well that...

[*Latin ed. p. 625*]

The acts of Pope Benedict XV, 625. For any dissension among ourselves is a victory for them; therefore, when they see Catholics more united, they employ the ancient tactic of shrewdly sowing the seeds of discord, striving to undo the unity. Would that this tactic had not so frequently provided them with the desired success, to the great detriment of the Religion! Thus, when legitimate authority commands something, no one is permitted to break the precept solely on the grounds that they do not approve of it, but rather, all should subject their opinion to the authority to which they are subject, and obey it out of conscience. Likewise, no private person should consider themselves a master in the Church, whether when publishing books or periodicals, or when delivering public speeches. All know to whom God has entrusted the magisterium of the Church; only this person should be allowed to speak as they see fit and when they please. The others have the duty to listen to them and obey them devoutly. But in those matters, concerning which, except for faith and discipline, the Apostolic See has not issued a judgment, both sides may dispute, and it is permissible for all to express and defend what they believe. But in these disputes, one must avoid all intemperance of language, which may cause grave offense to charity. Let each defend their opinion freely, but with moderation, and let no one consider it permissible to accuse those who hold opposing views, solely on the grounds of suspected heresy or lack of discipline. We also wish that Catholics abstain from using those appellations which have recently been introduced to distinguish one group of Catholics from another, and that they avoid them, not only because they are profane innovations in language, which are not in accordance with truth or justice, but also because great disturbance and confusion arise among them from such distinctions. The Catholic faith is of such a nature and character that nothing can be

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added to it, nor taken away from it; either it is professed entirely, or it is rejected entirely: *Haec est fides catholica, quam nisi quisque fideliter firmiterque crediderit, salvus esse non poterit.* Therefore, there is no need to add appellations to signify the Catholic profession; let each person suffice with this profession: "Christian is my name, Catholic is my surname"; let them strive only to be, in fact, what they say they are. Furthermore, to those among us who have dedicated themselves to the common good of the Catholic cause, the Church today asks for something quite different than to insist for a longer time on matters from which no benefit is derived: she asks that, with all their effort, they strive to preserve the faith.

[*Latin ed. p. 626*]

Acta Apostolicae Sedis - The official record, free from all shadow of error, following especially the footsteps of He whom Christ has constituted guardian and interpreter of truth. Also, there are, and not a few, who, as the Apostle says, are itching to hear, and who, because they cannot endure wholesome doctrine, gather to themselves teachers according to their own desires, and turn away their ears from the truth, but turn aside to fables. Indeed, proud and puffed up by the great esteem they have for human understanding, which, certainly, by divine permission, has made incredible progress in the study of nature, some, placing their own judgment above the authority of the Church, have carried their audacity to such a point that they have not hesitated to measure even the most secret mysteries of God, and all that He has revealed to man, with their own intelligence, and to adapt them to the way of thinking of these times. Thus were born the monstrous errors of Modernism, which Our Predecessor rightly called a synthesis of all heresies, and solemnly condemned. We, venerable Brothers, renew here this condemnation in its entirety: and since this pestilent contagion has not yet been entirely eradicated, but still manifests itself here and there, although secretly, We exhort everyone to take great care to guard against the danger of contracting it. For of this plague it can truly be said what Job said of another thing: "It is a fire that devoureth even to destruction, and rooteth up all things that spring." Job 31:12. And We desire not only that Catholics should guard themselves against the errors of the Modernists, but also against their tendencies, or the Modernist spirit, as it is commonly called: for he who is infected with this spirit rejects with disdain everything that is known to be of antiquity, and seeks, with eagerness, novelty in all things: in the way of speaking of divine things, in the celebration of the sacred liturgy, in Catholic institutions, and even in the private exercise of piety. We wish, therefore, that the law of our ancestors be respected: "Nihil innovetur nisi quod traditum est;" which, while it must be observed inviolably in matters of faith, should nevertheless serve as a rule for all that may undergo change, although, even in this, the general rule holds: "Non nova, sed noviter."

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Venerable Brothers, for men to profess openly the Catholic faith and to live in accordance with that same faith, they are mainly stimulated by fraternal exhortations and mutual examples; therefore, We are exceedingly pleased that...

[*Latin ed. p. 627*]

The acts of Pope Benedict XV, in the year 1727, continuously founded new Catholic associations. And we not only desire that these associations grow, but we also want them to flourish through our protection and our favor, and they will, without doubt, provided that they constantly and faithfully conform to the prescriptions that this Apostolic See has already given, or will give in the future. Therefore, all those who, participating in these associations, work for God and for the Church, should never forget what Wisdom says: "Vir obediens loquetur victoriam" (He who obeys will speak of victory); for, if they do not obey God through obedience to the Head of the Church, they will not deserve divine help, and they will labor in vain. But, so that all these things may be accomplished with the happy result that we desire, you know very well, venerable Brothers, that the constant and prudent cooperation of those whom Christ the Lord sent as laborers into His harvest is necessary, that is, of the clergy. Therefore, you should understand that your first care must be to foster the holiness proper to their state in the clergy that you already have, and to properly form for so holy an office, with the most diligent education, the students of the Sanctuary. And although your diligence needs no encouragement, we exhort you and implore you to desire to fulfill this duty with the greatest interest possible; for it is a matter of such importance that there is nothing of greater concern for the good of the Church; but, since Our predecessors of blessed memory, Leo XIII and Pius X, have already treated this matter specifically, We have nothing to add. We only desire that the documents of such wise Pontiffs, and especially the Exhortatio ad clerum of Pius X, with the help of your exhortations, should never fall into oblivion, but should be scrupulously observed.

However, one thing must not be passed over in silence: and that is that we want to remind all the priests in the world, as our most beloved children, that it is absolutely necessary, both for their own sanctification and for the fruit of the sacred ministry, that each one be closely united and entirely devoted to his own Bishop. For, as we lamented above, not all ministers of the Sanctuary are free from insubordination and independence, which are so common in these times; nor does it happen rarely for the Pastors of the Church to find pain and contradiction where they rightfully expected comfort and help. Now, those who so unfortunately abandon their duty, let

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them reflect again and again that it is divine... (Proverbs, 21:28).

[*Latin ed. p. 628*]

628 Acta Apostolicae Sedis - An Official Commentary concerning those to whom: Take heed to yourselves and to the whole flock, wherein the Holy Ghost hath placed you bishops, to rule the Church of God which he hath purchased with his own blood. And that, as we have seen, those who resist any legitimate authority resist God; much more irreverent is the conduct of those who refuse to obey the bishops, whom God has consecrated with the seal of His authority: "With love," wrote the holy martyr Ignatius, "it does not allow me to be silent about you; therefore, I urge you beforehand, that you may be of one mind with God. For Jesus Christ, inseparable from our life, is the mind of the Father, and so also are the bishops, established throughout the earth, in the mind of the Father. Therefore, you ought to concur with the mind of the bishops." And as that illustrious martyr spoke, so too have the Fathers and Doctors of the Church spoken in all times. It should be added that the burden that the bishops carry is already too heavy, even due to the difficulties presented by these times, and that the anxiety in which they live for the health of the flock entrusted to them is even more grave: "Obey your prelates and be subject to them. For they watch as being to render an account of your souls." Are those not to be called cruel who, denying the due obedience, increase this burden and this anxiety? This is not fitting for you," the Apostle would say to such people, "because the Church is a people gathered to the priest, and the flock adhering to its pastor; * from which it follows that he who is not with the bishop is not with the Church.

1 Act, XX, 28. 2 In Epist. ad Ephes., III. Hebr., XIII, 17. 3 4 S. Cyprian, "To Florentius and Pionius, epistle 66" (al. 69).

And now, venerable brothers, as I conclude this letter, my heart returns to the very point from which we began to write: and I again ask, with fervent and insistent prayers, for the end of this disastrous war, both for the good of society and of the Church; for society, so that, once peace is obtained, it may truly progress in every kind of culture; for the Church of Jesus Christ, so that, freed from further impediments, it may continue to the farthest limits of the earth to bring to men comfort and salvation. For a long time, the Church has not enjoyed that independence which it needs, that is, since its head, the Roman Pontiff, began to lack that aid which, by the arrangement of divine Providence, it had obtained throughout the centuries for the defense of its freedom. Once this aid was removed, a grave disturbance arose among Catholics; for all who profess themselves sons of the Roman Pontiff, both those who are near and those who are...

[*Latin ed. p. 629*]

The acts of Pope Benedict XV, *Anno Domini* 1914, state: "With full

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right, it is demanded that it cannot be doubted that the common Father of all, in the exercise of the apostolic ministry, is truly, and likewise appears, free from all human power. Therefore, while we offer fervent prayers that peace may be reborn among all nations, we also desire that this abnormal situation cease for the Head of the Church, which, for more than one reason, gravely harms the tranquility of the peoples themselves. Against such a state of affairs, we renew the protests that Our Predecessors repeatedly made, moved not by human interests, but by the sanctity of duty; and we renew them for the same reasons, to defend the rights and the dignity of the Apostolic See. Finally, venerable Brothers, since the hearts of princes and of all those who can put an end to the atrocities and the damages of which we have spoken are in the hand of God, let us raise our suppliant voice to God and, in the name of all mankind, let us cry out: *Da pacem, Domine, in diebus nostris.* He who said of Himself: *Ego Dominus... faciens pacem,* may He, appeased by our prayers, calm as soon as possible the stormy waves that agitate civil and religious society. May the blessed Virgin, who bore Him who is the Prince of Peace, be gracious to us, and may she receive under her maternal protection Our humble person, Our pontifical ministry, the Church, and with it the souls of all men, redeemed by the blood of Her divine Son. As a pledge of heavenly gifts and as a testimony of Our benevolence, venerable Brothers, we impart to you, to your clergy, and to your people, from our heart, the apostolic blessing. Given in Rome, near Saint Peter, on the feast of All Saints, on the first day of November of the year 1914, the first of Our pontificate. 1 1 Isaiah, XLV, 6-7. BENEDICT XV, POPE."

[*Latin ed. p. 630*]

630 Acta Apostolicae Sedis Commentarium Officiale IV. AN DIE ERWAHRENEN BRÜDER, DIE PATRIARCHEN, PRIMATEN, ERZBISCHÖFE, BISCHÖFE UND ANDERE ORDINARIEN, WELCHE IN GNADE UND GEMEINSCHAFT MIT DEM APOSTOLISCHEN STUHL STEHEN. BENEDICT PP. XV. ERWAHRENEN BRÜDERN (GRUSS UND APOSTOLISCHER SEGEN!). Auf den Stuhl des Heiligen Apostelfürsten, durch den unerforschlichen Ratschluss der göttlichen Vorsehung ohne Unser Verdienst erhoben, richteten Wir alsbald Unseren Blick, da ja Christus der Herr mit demselben Worte « Weide meine Lämmer, weide meine Schafe » wie einst Petrus, so auch Uns berief, den Blick voll Wohlwollen und Liebe auf die Herde, die Unserer Sorge anvertraut wurde. Wahrhaft zahllos ist diese Herde, da sie ja alle Menschen, wenn auch nicht alle in gleicher Weise, umfasst. Denn für alle Menschen, soviele ihrer sind, hat Jesus Christus sein Blut als Lösegeld hingegeben und sie dadurch aus der Knechtschaft der Sünde befreit, und es giebt keinen, der von den Wohltaten der Erlösung ausgeschlossen wäre. So hat der göttliche Hirte den einen Teil der Menschheit schon glücklich geborgen

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in den Armen der Kirche, und auch den andern wird er dorthin führen, wie er so liebevoll versichert: « Ich habe noch andere Schafe, welche nicht aus diesem Schafstalle sind; auch diese muss ich herbeiführen, und sie werden meine Stimme hören ». Wir wollen es Euch nicht verhehlen, ehrwürdige Brüder, dass das Erste, was Wir im Herzen empfunden haben, gewiss durch Gottes Güte geweckt, ein unsagbarer Drang von Verlangen und Liebe, aller Menschen Heil zu wirken, war. Bei der Übernahme des Pontifikates war Uns Wunsch und Gebet, was es für Jesus war, kurz bevor er den Kreuzestod starb: « Heiliger Vater! Bewahre sie in Deinem Namen, die Du mir gegeben hast ». Als Wir aber von der erhabenen Warte des Apostolischen Stuhles Ausschau hielten auf den Lauf der Dinge dieser Welt und alles gleich...

[*Latin ed. p. 631*]

Acta Benedicti PP. XV 631: Cum, per unum aspectum, omnia contueremus, statim ante oculos nostros posuitur status humanarum societatum, et gravissima tristitia corda nostra percussit. Nam, quomodo fieri potuit, ut non profundissime ad animam nostram attingeret haec imago, quae Europa, et cum ea totum orbem, praebet, imago quae, sicut videtur, a principio mundi numquam tam horrenda et tam trista visa est! Illa enim tempora, de quibus Christus praedixit: "Audietis de bellis et de rumoribus bellorum... quia surget populus contra populum, et regnum contra regnum," iam adpropinquant. Cernitur, nimirum, horribilis imago belli, et paene nihil aliud cogitat et occupat sensus et studia hominum. Maxima et florentissima populi ad gladium recurrerunt; et quid mirum, si, praeparaati horribilibus instrumentis quae hodierna ars belli invenit, cum inexorabili saevitia inter se persequuntur? Ubique mors et destructio; quotidie terra rursus sanguine infunditur et tegitur corporibus mortuorum et vulneratorum. Quis credere posset, quod ii, quos tam asperriter inter se pugnare videtur, filii unius et eiusdem progenitoris, participes eiusdem naturae, membra eiusdem societatis humanae sunt? Quis in eis fratres cognoscere posset, qui unum Patrem in caelo habent? Interim, cum ingentissima copiae in acerbitate inter se pugnant, dolor et miseria, haec trista comitata bellorum, in civitates et domos et corda singulorum intrant: crescit, cotidie, numerus viduarum et orphatorum, viae interrumpuntur, et ideo commercium defluit, agri deserti sunt, artes desunt; divites in gravi cura sunt, pauperes in amara necessitate, omnes in profunda tristitia. Perturbati hoc horribili casu, duximus, in initio Pontificatus nostri, officium nostrum esse, meminitia verborum ultimi Nostri praedecessoris, Pontificis tam illustris et sancti memoriae, revocare, et, ea repetentes, primum officium Nostri Apostolatus exercere. Ex corde, igitur, exhortamus eos qui sceptrum tenent et qui imperia dominentur, ut meminerint quantum sanguinis et lacrimarum iam effusum sit, et ut, ideo, celeriter populis dona excelsa pacis restituant. Miseretatur Deus nostri, et in misericordia Sua, ut fiat, quod olim angeli, ad

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nativitatem mundi, cantabant.

[*Latin ed. p. 632*]

"Acts of the Apostolic See - Official Commentary 632, hymns of salvation are sung, and now, as We assume the office as His Vicar, may they soon again resound: "Peace on earth to men of good will!" Therefore, We implore those who hear Us, in whose hands the destinies of nations rest, that they may earnestly and with good will attempt to restore violated rights by other means, and that they may, in the meantime, lay down their arms! It is love for them and for all peoples, not self-interest, that compels Us to speak. May this word of a friend and father not be spoken in vain!

But it is not only the present bloody war that makes nations unhappy and causes Us sorrow and concern. There is another terrible evil that gnaws at the fabric of human society, an evil that fills all discerning minds with dread. For, apart from the misfortune it has already brought upon states, and that it will continue to bring in the future, it must rightly be considered the true cause of this terrible war. For since the regulations and institutions of Christian doctrine have been disregarded in the constitutions of states, which contain the surest guarantee of stability and permanence of the state order, the states themselves have necessarily been shaken in their very foundations and have become unstable. Such confusion of minds and wildness of morals has resulted from this, that, unless God soon provides help, the collapse of human society seems imminent. For these are the evils that We perceive: a lack of benevolent love in the relationships between people, a disregard for authority, an unjust struggle between classes and groups, a greedy desire for fleeting and perishable goods, as if there were no other, and far better, goods offered to mankind. In these four fundamental evils, We believe We can see as many causes why the order of human society is so severely disturbed. Therefore, We must unitedly offer everything to eradicate these evils, by restoring the principles of Christianity to their rightful place, if We are truly concerned to promote the common good and to establish order and peace. Luke II, 14."

[*Latin ed. p. 633*]

633 The Acts of Pope Benedict XV. Concerning the first point, Christ the Lord, who descended from Heaven precisely for the purpose of restoring the Kingdom of Peace among men, which had been destroyed by the envy of the Devil, willed to establish it upon no other foundation than that of Love. Therefore, He repeats so often: "A new commandment I give unto you, that you love one another." "This is my commandment, that you love one another." "I command you that you love one another," as if His sole purpose in life had been to lead men to love one another. What a multitude of moving reasons did the Redeemer present before us, to lead us to this love! He bids us all to look up to Heaven: "For your Father which

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is in heaven is perfect." To all, without distinction of nation, language, or interest, He puts the same prayer on their lips: "Our Father, who art in heaven." He even assures us that the heavenly Father makes no distinction, not even according to the merit of the individual, when He bestows the gifts of nature, for He "maketh his sun to rise on the good, and on the evil: and sendeth rain on the just, and on the unjust." "Brothers we are one to another," says the Savior, and He calls us His own brothers: "You are all brethren." "That He himself might be the firstborn son among many brethren." He points to the strongest motive for practicing love, even towards those whom we so easily despise in our innate pride, when He teaches us to recognize the dignity of His own person in everyone, even in the least and poorest: "Whatsoever you shall have done to one of the least of my brethren, you have done it to me." And did He not, at the end of His life, fervently pray to the Father that all who would believe in Him might be one in love: "that they may all be one; as thou, Father, art in me, and I in thee?" Finally, hanging on the Cross, He poured forth His Blood upon all, so that we, as it were, joined and made one, might be... 1 John XIII, 34. John XV, 12. John XV, 17. Matthew XXIII, 9. Matthew VI, 9. Matthew V, 45. Matthew XXIII, 8. Romans VIII, 29. Matthew XXV, 40. John XVII, 21.

[*Latin ed. p. 634*]

634 Acta Apostolicae Sedis - Commentarium Officiale: ad unum corpus coalescentes, invicem diligamus, sicut membrum alterum in eodem corpore. Sed, pro dolor, aliter agunt homines temporis nostri. Nunquam fortasse verbum *fraternitatis* tam frequenter in ore ductum est quam hodie; immo, adeo perrepta est oblivio Evangelii amoris, praedicationis Salvatoris et Ecclesiae, ut *fraternitas* laudetur quasi summa res quae a cultura temporis nostri adhibita sit. Verum est, autem, numquam minus amor exercitus est inter homines quam nunc. Odium inter diversos populos ad summum gradum ascendit; populus a populo plus separatur inimicitia quam terminis; in eadem urbe, intra eadem muros, invidia et malitia inter diversas classes civium ardet, et in vita privata, egoismus est lex suprema quae omnia regit et dominatur. Videtis, venerabiles fratres, quam necessarium sit, omni studio adhibito, ut amor Jesu Christi iterum in cordibus hominum regnet. Hoc semper in animo habemus, et quasi principalem officium Nostrae Pontificatus consideramus; sed et vos hortamur, eodem studio ad id tendatis. Memento semper, et per exemplum doceamus, illam exhortationem Sancti Ioannis: "Amemus ergo invicem." Bene sunt, et valde commendanda, illa opera misericordiae, quibus tempus nostrum tam abundat; sed solum tunc vera utilitatem praebent, si ad promovendum verum amorem Dei et proximi in animis conferunt; si non, nihil valent, quia "qui non amat, in morte manet." 1 2 Io. III, 23. 1 2 Io. III, 14.

Secunda causa perturbationum generalium, ut diximus, est, quod auc-

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toritas illorum qui imperium tenent, non amplius populo sacro est. Quoniam, cum iudicatum sit, originem omnis humanae potestatis non a Deo, Creatore et Domino mundi, sed a libero arbitrio hominum, derivari, illa vincula obligationis quae praepositos et subditos conjungere debent, tam laxi facta sunt, ut paene omnino dissoluti esse videantur.

[*Latin ed. p. 635*]

635 The acts of Pope Benedict XV. The spirit of liberty, coupled with a rebellious disposition, has gradually permeated everything. It has not even spared the bond of the family, where authority is clearly based on natural law; indeed, it has even penetrated the sanctuary, which is a matter of even greater regret. From this arises a disregard for laws, the rebellion of the masses, and that insatiable desire to criticize everything that is ordered from above; hence, the countless attempts to undermine the strict discipline of order; hence, the abominable wickedness of those who openly declare that they have no obligation to obey, and who, for that reason, do not hesitate to destroy the lives and property of their fellow men. Regarding this corruption in thought and action, by which the order of human society is overturned, We, to whom the office of teaching the truth has been entrusted by God, must certainly not remain silent. Therefore, We exhort the nations to remember that doctrine which no human will can alter: "There is no power but from God: and those that are, are ordained of God." Therefore, whoever assumes a position of authority among men, whether he holds the supreme power or is appointed by it, derives his authority from God. Therefore, the holy Paul says, that obedience is to be given to those who command by virtue of their power, for no other reason than because faith and conscience demand it, unless they command something that violates God's commandments: "Wherefore it is necessary that you be subject, not for the wrath of God, but for conscience's sake." These words of the holy Paul are in agreement with what the Prince of the Apostles teaches: "Be subject therefore to all the ordinances of men, for the Lord's sake; whether it be to the king, as being supreme; or unto governors, as they that are sent by him..." From this, the Apostle of the Gentiles draws the conclusion that he who resists the properly constituted authority resists God and incurs eternal punishment: "For they that resist the power of the higher powers, resist the ordinance of God. But they that resist, incur damnation to themselves." 1 2 3 4 May princes and rulers of nations consider this and see whether it is wise and beneficial for public order and the states.

1 Romans XIII, 1.

2 Romans XIII, 5.

3 1 Peter II, 13-14.

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4 Romans XIII, 2.

[*Latin ed. p. 636*]

636 Acta Apostolicae Sedis - Commentarium Officiale. Es ist schädlich, sich von der heiligen Religion Jesu Christi zu trennen, von der ihre eigene Macht getragen und gestützt wird. Sie mögen immer wieder erwägen, ob es ein Beweis von Staatsklugheit ist, die heilige Lehre des Evangeliums und der Kirche aus Staat und Schule auszuschließen. Leider hat die Erfahrung nur zu deutlich bewiesen, dass dort der Respekt vor der menschlichen Autorität am meisten abnimmt, wo die Religion ihres Rechts und Einflusses beraubt ist. Denn was dem Stammvater unseres Geschlechts widerfuhr, als er seiner Pflicht untreu wurde, dasselbe geschieht auch den Staaten. Sobald sich sein Wille gegen Gott erhob, empörten sich in ihm die Leidenschaften und schüttelten die Herrschaft des Willens ab. So geschieht es oft, dass, wo die Lenker der Völker die Autorität Gottes verachten, die Völker ihrerseits sich nicht kümmern um die Autorität der Menschen. Eines bleibt jedoch übrig, das man anzuwenden pflegt, um erregte Volksmassen niederzuhalten: die Gewalt der Waffen; jedoch mit welchem Erfolg? Mit Gewalt der Waffen zwingt man zwar die Körper nieder, aber man beherrscht nicht die Geister. Ist einmal das doppelte Band gelöst oder auch nur gelockert, das jede Gesellschaft zusammenhält, nämlich das der gegenseitigen Liebe, welches Glied mit Glied verbindet, und das der gläubigen Unterwerfung unter die Autorität, wodurch die Glieder mit dem Haupt verbunden sind, wer könnte sich dann noch wundern, ehrenwerte Brüder, dass die menschliche Gesellschaft wie in zwei Heerlager gespalten ist, die sich heftig und unablässig bekämpfen? Auf der einen Seite stehen die, denen ein glückliches Los irdische Güter in Fülle geschenkt hat, oder deren eigener Fleiß zum Wohlstand verholfen hat, und ihnen gegenüber die unterste Klasse des Volkes und die Arbeiterwelt, voll Hass und Neid deswegen, weil sie, obschon gleicher Natur, nicht auch in denselben glücklichen Verhältnissen leben. Sie sind irregeführt durch falsche Versprechungen der Volksaufwiegler, deren Winke sie willenlos folgen. Wie wäre es möglich, ihnen die Überzeugung beizubringen, dass daraus, dass die Menschen alle die gleiche Natur haben, folge keineswegs, dass auch alle in der Gesellschaft den gleichen Platz einnehmen müssten, sondern dass dies die jedem zukommende Stellung sei, die er, wo nicht widrige Schicksale im Wege stehen, durch eigene sittliche Anstrengung erworben hat. Wenn daher die weniger Bemittelten die Wohlhabenden bekämpfen, als hätten sich diese in den Besitz fremden Gutes gesetzt, so sündigen sie nicht nur gegen Gerechtigkeit und Liebe, sondern auch gegen die gesunde Vernunft; denn auch sie könnten, wenn sie nur...

[*Latin ed. p. 637*]

The Acts of Pope Benedict XV, 637, desired that men, through honest

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labor, seek to improve their condition. We need not elaborate on the disadvantages and the great harm that this struggle of envy brings to the individual and to society. We all see and lament the frequent worker strikes, by which the course of civil and public life, even in the most necessary services, is brought to a standstill, and those threatening gatherings and noisy demonstrations, in which it often happens that weapons are drawn and blood is shed. We will not repeat here the arguments by which the errors of the Socialists and those of similar mind are so convincingly refuted. Our predecessor, Leo XIII, did this with great wisdom in his memorable encyclicals. But you, venerable brothers, should, with the zeal that characterizes you, ensure that these so important principles and regulations are never forgotten, but rather are scientifically presented and emphasized in Catholic associations, in gatherings, in the preaching of the Word of God, in the public writings of our own, whenever the opportunity arises. But, what remains the main point – and We do not hesitate to repeat it – let us, with all the motives that the Gospel, human nature itself, and the interests of public and domestic order offer us, earnestly exhort all, guided by the divine commandment of love, to love one another in a spirit of brotherhood. Certainly, this love cannot abolish the differences of conditions and social classes. This is as impossible as assigning the same task, the same dignity, to all members of a living body. But love will bring it about that those in higher positions will condescend to those who live in humble circumstances, and that they will not only act justly towards them, as is fitting, but will also show them kindness, friendliness, and patience. Those who are less fortunate should, on their part, rejoice in the prosperity of others and confidently await their help; just as the younger children rely on the protection and help of the older ones within the same family. But, venerable brothers, all the evils mentioned above have a common, deeper root, and if the good do not work with all their might to eradicate this root, then, truly, what is so dear to Us will not be achieved, namely...

[*Latin ed. p. 638*]

638 Acta Apostolicae Sedis - An Official Commentary on how human society can permanently secure peace. The Apostle clearly tells us what this root is: "The root of all evils is covetousness." And indeed, anyone who observes carefully will find that the evils that afflict human society today all stem from this root. Poor schools, which corrupt the youthful heart, which is soft as wax; impious writings, which, whether daily or periodically, exert their influence and mislead the inexperienced; and, not least, public opinion; all of these have contributed to the establishment of that corrupting error in the hearts of men: that for man, there is no eternal life to be hoped for in the afterlife, in which he will be happy; but that here, on earth, it is within his power, through the possession of money and power, through the enjoyment of life and earthly pleasures, to create his happiness. It is

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therefore no wonder that people with such principles – and we humans are naturally created for happiness – with the same eagerness with which they feel irresistibly drawn to these goods, will also relentlessly remove anything that delays or prevents the attainment of this earthly happiness. But since earthly goods are not distributed equally among individuals, and since the state authority has the duty to prevent the individual from exceeding the limits of his freedom or even encroaching on the property of others, therefore authority is hated; therefore, envy gnaws at the heart of the poor man against the wealthy; therefore, the struggle rages among the various classes of citizens, since some strive at all costs to obtain, even to take away from others, what they lack, while others are equally determined to preserve what they possess, and even to increase it. Seeing this, the Lord Jesus, looking to the future, clearly and distinctly showed what human happiness is here on earth in that divinely sublime sermon on the mountain. Thus, the Lord laid down, as it were, the fundamental law of Christian wisdom of life. Even those who are completely distant from faith recognize in it a wonderful wisdom and the most perfect doctrine of faith and morals. Surely all must admit: No one before Christ, who is the Truth itself, has ever spoken so loftily about this subject, no one with such dignity and power, no one with so much love. 1 Timothy 6:10.

[*Latin ed. p. 639*]

639 The Acts of Pope Benedict XV. The internal and deepest foundation of this heavenly wisdom lies in the fact that what we call the goods of this fleeting life are only apparent goods, and not truly so in the proper meaning of the word; therefore, their enjoyment cannot truly make the lives of men happy. Just as wealth, honor, and pleasure, according to the will of the Creator, cannot prepare a blessed destiny for man, so that whoever wishes to be truly blessed in this life must first renounce all these things for God's sake: "Blessed are the poor," "Blessed are you who weep now," "Blessed are you when men hate you, and revile you, and say all manner of evil against you for My sake." Yes, through pain and suffering and the misery of life, if we only endure them as we should, the way leads to the true and everlasting goods that "God has prepared for those who love Him." However, this most important truth of the faith seems to be scarcely noticed by most, and completely forgotten by many. And yet, venerable brothers, it is absolutely necessary to form the minds of men in the light of this truth; otherwise, neither the individual nor human society will find peace. Therefore, let those who are burdened by sorrow and suffering not fix their gaze on this earth, on which we are but strangers, but rather let them raise it to heaven, to that place where the goal of our pilgrimage lies: "for we have here no abiding city, but we seek a city to come." In the midst of the bitterness of life, through which God tests the steadfastness of His servants, let them often consider what reward awaits them if they emerge victorious

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from this trial: "for our present sufferings, which are of short duration, work out for us an exceeding and eternal weight of glory." Finally, with all care and effort, it must be striven that the belief in a supernatural world be renewed among men, and that with the belief, the appreciation, the desire, and the expectation of eternal goods. Let this, therefore, be your first task, venerable brothers, and the most important endeavor of the clergy and all our sons who gather in various societies to promote the glory of God and the true welfare of mankind. As this belief increases in men, so too will their excessive pursuit of earthly, fleeting things.

[*Latin ed. p. 640*]

640 Acta Apostolicae Sedis - Commentarium Officiale. Wenn man die Güter annimmt, und nach und nach, nämlich wenn auch die Liebe wieder erstarkt, werden die sozialen Unruhen und Kämpfe sich legen. Wenden wir nun den Blick von der menschlichen Gesellschaft weg auf die eigenen Angelegenheiten der Kirche. Dort findet sich in der Tat, was unser Herz, das beim Anblick des namenlosen Unglücks der heutigen Zeit aufs schmerzlichste berührt wird, so manches, was es in etwa tröstet und aufrichtet. Zu besonderem Trost gereicht uns nicht nur der offenkundige Beweis der göttlichen Kraft und Festigkeit, welche der Kirche eigen sind, sondern auch das herrliche Erbe, welches unser Vorgänger Pius X, der durch die Heiligkeit seines Wandels eine Zierde des Apostolischen Stuhles gewesen, uns als Frucht seiner unermüdlichen Fürsorge hinterlassen hat. Durch sein Bemühen ist allenthalben im geistlichen Stande der religiöse Eifer neu belebt, die Frömmigkeit des christlichen Volkes wieder geweckt, im Leben der katholischen Vereine ist Eifer und Zucht gefördert worden; Bischofssitze sind neu errichtet oder der Zahl nach vermehrt; für die Erziehung des heranwachsenden Klerus wurde den kirchlichen Vorschriften gemäss und unter glücklicher Berücksichtigung der heutigen Zeitverhältnisse aufs beste gesorgt; von den Lehrstühlen der heiligen Wissenschaft ist die Gefahr unkirchlicher Neuerungen verbannt; die kirchliche Musik steht im Einklang mit der Erhabenheit der heiligen Geheimnisse, welche sie verherrlichen soll; Reichtum und Glanz der liturgischen Feier ist gemehrt; durch Errichtung neuer Missionen für die Boten des Evangeliums wurde die Verbreitung der christlichen Lehre gefördert. Gross in der Tat sind die Verdienste unseres Vorgängers um die Kirche und wert, dass sie die Nachwelt in dankbarem Andenken bewahre. Weil aber der Acker des "Familienvaters", (von dem das Evangelium spricht), durch Gottes Zulassung der Bosheit "des Menschenfeindes" immer offen steht, so wird es niemals eine Zeit geben, in der man nicht mit ununterbrochener Arbeit verhindern müsste, dass das "üppig" wuchernde Unkraut" die gute Frucht ersticke. So glauben wir auf uns anwenden zu sollen, was Gott einst dem Propheten gesagt hat: "Siehe, ich habe Dich heute über die Völker gestellt und über die Reiche, damit du ausrissest

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und zerstörest... aufbauest und pflanzest". Daher werden wir mit Einsatz auch der letzten Kraft das Böse auszurotten, das Gute zu fördern trachten, solange es dem obersten Hirten gefällt, uns für die Verwaltung des anvertrauten Amtes verantwortlich zu machen. 1 1 Jerem. 1, 10.

[*Latin ed. p. 641*]

To Our venerable brothers, We, for the first time, address you all through this circular letter, and We deem it fitting to briefly mention certain principal points to which We shall devote particular care. The more diligently you support Our efforts through your cooperation, the sooner We shall enjoy the desired fruits. In every community of people, whatever the reason for their association may be, it is of the highest importance for the flourishing of the common cause that the members pursue the same goal with the greatest unity. Therefore, We intend to ensure that all existing disagreements and divisions among Catholics are eliminated, and that new ones are prevented. They must be united in thought and action. The enemies of God and of the Church know very well that any discord within Our ranks means a victory for them; therefore, from ancient times, they have striven to cunningly sow the seeds of discord among the united ranks of Catholics and to disrupt their unity. How often has this attempt succeeded, to the great detriment of the Church! Therefore, where legitimate authority has undoubtedly issued a command, it is not permissible for anyone to disregard it, simply because it does not seem expedient to them; rather, each person must submit his own opinion to the authority competent for him and obey it out of conscience.

Likewise, no unauthorized person shall presume to present himself as a representative of the Church's teaching office in books, newspapers, or public lectures. It is well known to all to whom God has entrusted the teaching office in the Church. Therefore, that right remains fully to them, to proclaim their teaching whenever and as it pleases them. It is the duty of all others to listen to the word of the Church's teaching office and to submit to it with humility. However, in those matters in which, in the absence of a decision from the Apostolic See, one can take a stand for or against without endangering faith and morals, no one is forbidden to freely express and maintain his opinion. But let everyone exclude all lack of moderation in speech from these discussions, since serious injuries to charity can arise from them. Let each person present and defend his view with frankness, but also with modesty, and let no one consider himself entitled to suspect the faith and the spirit of the Church in others simply because they hold different opinions.

We also wish that Our own people refrain from those designations which

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have recently begun to be used to distinguish Catholics from...

[*Latin ed. p. 642*]

642 Acta Apostolicae Sedis - An Official Commentary for Distinguishing Catholics. They should refrain from doing this, not only because such actions are "reprehensible innovations in speech," which neither correspond to truth nor justice, but especially because they cause great disturbance and confusion among Catholics. The Catholic faith is of such a unique and inherent nature that nothing can be added to it, nor can anything be taken away from it: one must either accept it entirely or reject it entirely. "This is the Catholic faith: whoever does not faithfully and steadfastly hold to it 'cannot be saved'." Therefore, no further additions are needed to define the Catholic faith; it is enough for each person to confess: "Christian is my name, Catholic my surname"; let him only strive to be, in truth, what he claims to be. Furthermore, the Church demands of her children, who dedicate their efforts to the service of the common Catholic cause, something entirely different from wasting their time on questions that are of no benefit. She demands that these men strive with all their might to preserve the faith, pure and free from every taint of error, and that they, above all, obey the guidance of the one whom Christ has appointed as the guardian and herald of truth. There are also, today, and their number is not small, those who, as the Apostle says: "lust after what is pleasing to the ear, and they will not endure sound doctrine, but according to their own desires they will surround themselves with teachers, and will turn away their ears from the truth, and turn aside to fables" (2 Timothy 4:3-4). Some, puffed up and blinded by the high opinion they have of the power of the human mind – and it has, with God's help, made incredible progress in the exploration of nature – disregard the authority of the Church, relying on their own judgment to such an extent that they dare to measure even the mysteries of God and all that God has revealed to mankind by their own understanding, and to adapt them to the perceptions of our time. Thus, the monstrous errors of Modernism arose, which Our Predecessor rightly called "the compendium of all heresies" and solemnly condemned. This condemnation, venerable brothers, We renew in its entirety, and since this pestilent plague has not yet been completely eradicated, but still lurks here and there, even if only hidden, We exhort all to be most careful.

[*Latin ed. p. 643*]

The acts of Pope Benedict XV, page 643, state that before any outbreak of this evil, one can appropriately apply what Job said about another evil: "It is a fire that consumes to destruction and devours all its produce." However, We desire that Catholics turn away with abhorrence not only from the errors, but also from the spirit and the direction of Modernism. Whoever is imbued with this spirit spurns everything that recalls the venera-

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ble antiquity, and greedily pursues innovations everywhere: in the manner of speaking about divine things, in the celebration of the liturgy, in Catholic institutions, and even in private acts of piety. Therefore, may that fundamental principle of the Fathers be held sacred by us: "Create no innovations, but adhere to the traditions." Although this law must have unbreakable validity, especially for those things that are the object of faith, it should nevertheless also be a norm in the order of those things that, in themselves, allow for change, although, in general, the rule applies to these as well: "Not new, but renewed." Venerable brothers, more than anything else, mutual encouragement and a good example incite people to openly profess the Catholic faith and to live according to the principles of the faith. Therefore, We rejoice greatly that new Catholic associations are constantly being formed. Our heartfelt desire is that these associations develop ever more; yes, that they flourish precisely through Our protection and Our loving care. This flourishing will not fail to occur if all members consistently and faithfully obey the regulations issued by the Apostolic See, or that will be issued in the future. May therefore all members of these associations, who work for God and His Church, never forget those words of divine wisdom: "He who obeys will speak of victories." For whoever does not submit to the will of God in humble obedience to the head of the Church, will also not receive any divine grace and will strive in vain. But that all of this may become a reality and bring forth that blessed fruit which We hope for, it is, as you well know, venerable brothers, necessary that all those whom Christ the Lord has sent as "laborers in His vineyard" cooperate with wisdom and zeal.

[*Latin ed. p. 644*]

Acts of the Apostolic See - Official Commentary 644, namely, the clergy. Therefore, your concern must be directed above all to leading those who have already received the holy orders among you to a sanctity befitting their exalted state, and to preparing the candidates for the priesthood through excellent instruction and guidance for so holy an office. Indeed, your zeal requires no prompting, yet we implore and beseech you to fulfill this duty with all conscientiousness. It concerns a matter of fundamental importance to the well-being of the Church, as no other. Our predecessors of blessed memory, Leo XIII and Pius X, have instructed you thoroughly on this matter, and therefore it is unnecessary for us to elaborate further. We will only express one urgent desire: may the regulations of those enlightened Popes, especially the "Exhortation to the Clergy" of Pius X, never be forgotten, but always be conscientiously observed, through your constant reminders. However, we must not pass over one thing in silence. It is our duty to remind all priests, as our beloved sons, how absolutely necessary it is for their own salvation and for the fruitful exercise of their holy office to be intimately united with their bishop and to obey

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him willingly. Unfortunately, as we have already said with sorrow, not all servants of the holy Church have remained free from the spirit of arrogance and resistance, which is so widespread in our time, and it often happens that the ecclesiastical pastors experience grief and opposition precisely from those from whom they rightfully expect comfort and support. All those who, in such a deplorable manner, fail in their duty should consider that the authority of those who are "ordained bishops by the Holy Spirit to govern the Church of God" comes from God. Therefore, since all who resist legitimate authority resist God, how much greater is the wickedness of those who refuse obedience to bishops, to whom God has affixed the holy seal of His own authority. "Love," writes the holy martyr Ignatius, "forbids me to be silent when it concerns your advantage. Therefore, I urge you in all things: be of one mind in the word of God! For Jesus Christ, our inseparable life, is the Word of the Father, and thus also are the..." 1 1 Acts 20:28.

[*Latin ed. p. 645*]

The acts of Pope Benedict XV, page 645: Bishops, who are appointed throughout the wide expanse of the earth, in the words of the Father. Therefore, it is the duty of all to unanimously embrace the word of the bishop. And just as this celebrated martyr spoke, so too have the other Fathers and Church teachers of all times. Truly, the burden of the ecclesiastical shepherds is heavy, especially in these difficult times, and even more burdensome is their constant concern for the salvation of the flock entrusted to them: "for they watch as those who must give an account of your souls." Therefore, must we not call cruel he who, through neglect of duty and disobedience, increases this burden and this concern? "This brings you no benefit," the Apostle would say to such a one, and that is because "the Church is a flock that lives united with the priest and follows him as its shepherd." Therefore, whoever is not with his bishop is not with the Church of God.

In conclusion of this circular letter, venerable brothers, We feel compelled to return to what We have begun. We earnestly implore, in fervent prayer, for the good of human society and the Church, a swift end to this most calamitous war. We implore it for human society, that when peace is restored, it may make true progress in all areas of culture; and for the Church of Jesus Christ, that, freed from every hindrance, it may continue to bring help and salvation to people in all lands of the earth.

Indeed, the Church no longer enjoys that full freedom which it requires, since its head, the Pope, no longer possesses that safeguard which he received through a special dispensation of divine providence over the centuries to ensure his freedom. The removal of this safeguard has, as was to be expected, caused considerable concern to Catholics; for all who call themselves sons of the Pope, both near and far, rightly demand that they be assured that their common father, in the exercise of his Apostolic office,

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is truly free from the influence of earthly powers, and that he appears to be completely free from all worldly interference. Therefore, as We earnestly desire that the nations may soon make peace with each other, so too We earnestly desire that a means may be provided for...

1. Letter to the Ephesians, III.

2. Hebrews, XIII, 17.

3. Ibid., 17.

4. St. Cyprian, to Florentius and Puppianus, Letter 66 (69).

[*Latin ed. p. 646*]

646 Acta Apostolicae Sedis - Official Commentary: May the head of the Church cease that unnatural state which, for many reasons, inflicts such great harm upon the peace of nations. Our predecessors, moved not by earthly considerations, but by the sacred duties of their office, have repeatedly intervened in defense of the rights and dignity of the Apostolic See against this condition. Moved by the same reasons, We hereby renew this intervention. The hearts of princes and all those men in whose power it lies to put an end to this lamented outrage and misery are in the hand of God. Therefore, venerable brothers, We raise our voice pleadingly to God and cry in the name of all men: "Give peace, O Lord, in our days." May God, who says of Himself: "I am the Lord... who gives peace," be reconciled and graciously hear our prayer! Yes, may He soon command the winds and waves by which the State and the Church are so violently agitated! May the most blessed Virgin, who bore the "Prince of Peace," mercifully incline towards us; may she take under her maternal protection Our humble person, Our priestly office, the Church, and with it the souls of all men, which have been redeemed by the divine blood of Her Son! As a pledge of heavenly graces and as a sign of Our love, We impart to you, venerable brothers, to your clergy and to your people, from the bottom of Our heart, the Apostolic Blessing. Given at Rome, at the Basilica of Saint Peter, on the Feast of All Saints, November 1, 1914, in the first year of Our pontificate. 1 1 Isaiah XLV, 6-7. BENEDICTUS P. P. XV.

[*Latin ed. p. 661*]

661 From the Diary of the Roman Curia. DIARY OF THE ROMAN CURIA, SECRETARY OF STATE. BY ORDER of the Secretary of State, the Holy Father has deigned to appoint: November 24, 1914. — The Most Reverend Cardinal Gaetano De Lai, Secretary of the Sacred Congregation Consistorial, Member of the Supreme Sacred Congregation of the Holy Office. — The Most Reverend Cardinal Gaetano Bisleti, Protector of the Congregation of the Religious of the Nativity of Our Lord, of Bordighera. — The Most Reverend Cardinal Filippo Giustini, Protector of the Institute of the Religious of the Holy Family, of Bordeaux. November 25. — The Most Reverend Cardinals Antonio Vico, Domenico Serafini, and Michele Lega,

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Members of the Sacred Congregation for the Propagation of the Faith, for matters pertaining to the Latin Rite and for those pertaining to the Oriental Rite. — The Most Reverend Cardinal Aristide Rinaldini, Protector of the Congregation of the Most Holy Sacrament. FROM THE HOUSEHOLD OF HIS HOLINESS. BY ORDER of His Eminence, the Reverend Monsignor, Major Domo, the Holy Father has deigned to appoint: Extraordinary Secret Chamberlains to His Holiness: September 25, 1914. — Monsignor Vittorio Masoni, of the diocese of Bergamo. — Monsignor Filippo Tabellini, of the archdiocese of Bologna. September 30. — Monsignor Luigi di Manno, of the diocese of Terracina. — Monsignor Augusto de Angelis, of the same diocese. — Monsignor Amedeo Polidori, of the same diocese. — Monsignor Giovanni Binder, of the same diocese. — Monsignor Antonio Dofner, of the same diocese. — Monsignor Carlo Forstner, of the same diocese. — Monsignor Leopoldo Gstettner, of the same diocese.

[*Latin ed. p. 662*]

662 Acta Apostolicae Sedis - Official Commentary, September 30, 1914. — Monsignor Giovanni Hölbrigl, of the diocese of St. Hippolitus. — Monsignor Federico Schmidt, of the same diocese. — Monsignor Luigi Schmoeger, of the same diocese. — Monsignor Giuseppe Schnelzer, of the same diocese. — Monsignor Antonio Troyer, of the same diocese. — Monsignor Giuseppe Winhellhofer, of the same diocese. — Monsignor Antonio Witschko, of the same diocese. — Monsignor Aristodemo Pulci, of Rome. October 12 — Monsignor Giuseppe Engel, of the diocese of Bressanone. — Monsignor Giovanni M. Licitri, of the archdiocese of Catania. — Monsignor Belisario Philipps, of the archdiocese of Lima. — Monsignor Luigi Cossio, of Rome. October 15. — Monsignor Cesare Boccoleri, of the diocese of Chiavari. — Monsignor Ermengildo Roa, of the diocese of the Most Holy Assumption. — Monsignor Alessandro Gizzi, of the diocese of Ferentino. — Monsignor Anselmo Poock, of the diocese of Salford. October 23. — Monsignor Francesco Jankü, of the archdiocese of Prague. — Monsignor Antonio Nepil, of the same archdiocese. October 31. — Monsignor Giovanni Jeremich, of the patriarchate of Venice. — Monsignor Carlo Rommel, of the diocese of Strasbourg. — Monsignor Jacobo Skala, of the diocese of Bautzen. — Monsignor Antonio Adolf, of the archdiocese of Buffalo. — Monsignor Giuseppe Ruggeri, of the diocese of Matera. — Monsignor Andrea Carpené, of the diocese of Ceneda. — Monsignor Gaetano Malchiodi, of the diocese of Gubbio. — Monsignor Archangelo Rosati, of the same diocese. November 4. — Monsignor Giuseppe Marazzi, of the diocese of Albano. November 6. — Monsignor Valeriano Monti, of the diocese of Parenzo and Pola. — Monsignor Edoardo Bosia, of the archdiocese of Turin. — Monsignor Giovanni Rho, of the same archdiocese. — Monsignor Francesco Vaschetti, of the same archdiocese. — Monsignor Vincenzo Cumino, of the same

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archdiocese. — Monsignor Giuseppe Casalegno, of the same archdiocese. — Monsignor Luigi Condio, of the same archdiocese. — Monsignor Enrico Barton Brown, of the same archdiocese. Honorary Chaplains in peacock blue vestments of His Holiness: September 30, 1914. — Monsignor Ignazio Dubowsky, of the diocese of Zytomir. October 12. — Monsignor Emilio Cappellini, of the archdiocese of Florence. — Monsignor Antonio Pica, of the diocese of Diano Teggiano. — Monsignor Giuseppe Beniamino Scaiano, of the diocese of Livorno. October 10. — Monsignor Luigi Cremona, of the archdiocese of Malta. — Monsignor Giovanni Nicola Alpen, of the archdiocese of Rio de Janeiro.

[*Latin ed. p. 663*]

Diarium Romanae Curiae 663, October 15, 1914. — Monsignor Alberto Oberholzer, of the diocese of St. Gall. — Monsignor Giovanni Beggiato, of the diocese of Vicenza. — Monsignor Gustavo Desarnaud, of the archdiocese of Naples. October 31. — Monsignor Antonio Criscuoli, of the diocese of Caltanissetta. — Monsignor Rosario Lapaglia, of the same diocese. — Monsignor Carmelo Cocchiaro, of the same diocese. — Monsignor Domenico Scipioni, of the diocese of Marsi. — Monsignor Vincenzo Gagliardi, of the same diocese. — Monsignor Alessandro Paoluzi, of the same diocese. November 4. — Monsignor Guglielmo Grassi, of the diocese of Albano. — Monsignor Fausto Baccarin, of the same diocese. — Monsignor Temistocle Signori, of the same diocese. November 6. — Monsignor Francesco Speranza, of the archdiocese of S. Severina. — Monsignor Raffaele Ussani, of the archdiocese of Naples.

Secret Chamberlains of Sword and Cape, extraordinary: September 5, 1914. — The Most Reverend Count Giovanni Grosoli Pironi, of the archdiocese of Ferrara. September 21. — The Most Reverend Count Ranieri Callori di Vignale, of the diocese of Casal Monferrato. September 28. — The Reverend Knight Marjoribanks Egerton Giovanni. — The Most Reverend Count Vincenzo M. Petrangolini, of the archdiocese of Urbino. September 30. — The Most Reverend Count Carlo Olivieri di Vernier, of the archdiocese of Turin. — The Most Reverend Count Folchino Dodici Schizzi Cesi, of the archdiocese of Milan. — The Reverend Marquess Fabrizio Paolucci de' Calboli, of the diocese of Forlì. — The Most Reverend Count Carlo de Loppinot, of the diocese of Nancy. — The Most Reverend Count Camillo Ruffin, of the archdiocese of Tours. — The Reverend Commissioner Giovanni de Broqua, of the diocese of Dijon. October 14. — The Most Reverend Count Carrelli Palombi, of the archdiocese of Naples. — The Reverend Marquess Alfredo Mattei, of the archdiocese of Malta. — The Most Reverend Count Giovanni Battista Castelli, of Rome. — The Reverend Marquess Ippolito dei conti Annoni, of the archdiocese of Milan. — The Most Reverend Count Girolamo Fani, of Rome. — The Reverend Commissioner Antonio Giacinto Cagninacci, residing in Paris. October 15. — The Reverend Marquess Clau-

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dio Lagergren, of Stockholm. — The Most Reverend Count Nicola Filo di Torre di S. Susanna, of the archdiocese of Naples. — The Most Reverend Count Francesco Heaven Ramiret de Arellano, of the diocese of Aberdeen. — The Reverend Antonio Imbert de la Phalecque, of the diocese of Fréjus. — The Most Reverend Count Enrico M. Thierry de Pierredon, of the archdiocese of Paris.

[*Latin ed. p. 664*]

664 Acta Apostolicae Sedis - Official Commentary, October 15, 1914. — Mr. Emmanuele Corragioni d'Orelli, of the diocese of Basle. — Mr. Count Enrico Cognard d'Agoret, of the archdiocese of Paris. — Mr. Count Bernardo de Maupas du Juglart, of the archdiocese of Tours. — Mr. Anthony M. Murna, Count de Lariz. — Mr. Giuseppe M. de Urquijo, of the diocese of Vittoria. — Mr. Anthony de Falloux Schuster, of Rome. — Mr. Giuseppe de Rujula y de Ochotorena. October 31. — Mr. Castner J. Samuel, of the same archdiocese (Philadelphia). — Mr. Kernan F. Peter, of the same archdiocese. — Mr. Power F. William, of the same archdiocese. — Mr. Knight Andrea Pidoux, of the diocese of Saint-Claude. November 4. — Mr. Count Guido Palagi, noble patrician of Florence. Honorary Chamberlains of Sword and Cape, extraordinary, of His Holiness: September 29, 1914. — Mr. Emmanuele d'Achiardi, of the diocese of Livorno. September 30. — Mr. Engineer Albert Buffa, of the diocese of Alexandria. October 15. — Mr. Enrico M. Agostino Cousin, of the archdiocese of Besançon. — Mr. Knight Giuseppe Fornari, of Rome. — Mr. Giacomo Nicolò Lammers, of Amsterdam. November 4. — Mr. Knight Engineer Luigi Donini, of the archdiocese of Bologna. Honorary Chaplains of His Holiness: September 30, 1914. — Monsignor Vincenzo Sestito, of the diocese of Squillace. October 12. — Monsignor Francesco Galli, of the archdiocese of Cosenza. October 15. — Monsignor Aristide Grossi, of Rome. November 3. — Monsignor Robert Nannini, of Rome. November 6. — Monsignor Giuseppe Cascioli, of Rome. Honorary Chamberlain, outside the city, of His Holiness: September 25, 1914. — Monsignor Luigi Tanari, of the archdiocese of Bologna. Honorary Chaplain, outside the city, of His Holiness: October 31, 1914. — Monsignor Eugenio Barontini, of the diocese of Pescia. NECROLOGY, November 22, 1914. — Monsignor Valerio Laspro, Archbishop of Salerno. November 24. — The Most Reverend Cardinal Aristide Cavallari, Patriarch of Venice.

[*Latin ed. p. 665*]

Year VI. - Vol. VI. December 9, 1914. No. 20.

ACTA APOSTOLICAE SEDIS

OFFICIAL COMMENTARY

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ACTS OF POPE BENEDICT XV

BY PAPAL ACT, CONCERNING THE PONTIFICIAL COMMISSION FOR REVISING THE VULGATE VERSION OF THE SCRIPTURES.

BENEDICT XV, POPE.

Following in the footsteps of Our Predecessor of blessed memory, We have determined to restore the Latin version of the Scriptures, which is called the Vulgate, to its original reading, a task which has brought great honor to the name of Pius X and will continue to do so. Indeed, because of the variety of manuscripts which must be sought out and compared throughout the world, this undertaking involves a vast amount of work; and while diligent and learned men can accomplish much, this task requires the combined efforts of many learned men. This, however, will bring no small benefit to the Church, and will increase the opinion of Catholics among non-Catholics regarding the learning and doctrine of the Catholic clergy. We do not doubt the success of this endeavor, seeing to what extent Our Predecessor entrusted it: indeed, the members of the Benedictine Order have received well-deserved praise for their diligence in this field of study. Therefore, the Commission for the Vulgate Scriptures...

[*Latin ed. p. 666*]

666 Acta Apostolicae Sedis - An Official Commentary, for the purpose of amendment, as it has been established, we confirm, we honor the title of Pontiff, and we decree that its jurisdiction shall be according to these laws:

I. Whenever a new President is to be appointed for the Commission, the Primus Abbas of the Benedictine Confederation, after consulting with his assessors, from the Orders of Congregations, shall propose one or more candidates to the Supreme Pontiff, who, whoever he may choose, shall appoint him to this office.

II. The body of the Commission shall be considered legitimate and of its own jurisdiction, just as are the other Benedictine monasteries.

III. The members of the Commission, who are also members of the Commission, shall have the same jurisdiction as each Abbot over the monks of his own monastery, saving, as it were from the root, the authority of their own Prelate.

IV. The Commission itself shall co-opt its own members; however, it is permissible for the Primus Abbas, for a grave reason, to intervene in this co-option, that is, to prevent it. It is to be hoped that all Abbots of the Benedictine Confederation, unless local circumstances prevent it, will gladly allow those who are to be added to the Commission to undertake this useful work.

V. All goods that come to the Commission shall be administered by the

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President himself, with the advice of some members of the Commission; and each year, he shall render an account of the administration to the Supreme Pontiff.

And these things We, of Our own accord, have established and decreed, notwithstanding any contrary provisions.

Given at Rome, at St. Peter's, on the twentieth day of the month of November, in the year 1914, in the first year of Our Pontificate.

BENEDICT XV, Pope.

[*Latin ed. p. 667*]

Acts of Pope Benedict XV, 667. LETTERS I, TO MICHAEL CARDINAL LOGUE, ARCHBISHOP OF ARMAGH, CONCERNING LETTERS SENT TO THE MOST BLESSED FATHER BY THE BISHOPS OF IRELAND. Beloved Son, greetings and the apostolic blessing. — We are greatly pleased by the common letters from the bishops of Hiberniae, which we received from you on previous days. We have loved the most devoted service of these brothers, and we have loved the prayers with which they, most devotedly, have beseeched God for Our advancement to the highest position of the Apostolic See, for a prosperous and unhindered course, and for divine protection. Although these are times and the demands upon Our strength are such that the most solemn duty greatly concerns Us, We nevertheless trust in Him who called Us, and who ceaselessly strives to protect and safeguard the Church, which He acquired with His blood, whether through prosperity or through adversa. We give thanks to you, beloved Son, and to all those for the testimonies of devotion shown in the letters, and for the merits thereof, we impart the apostolic blessing, the aid of heavenly blessings, and a witness of Our benevolence, earnestly in the Lord, to each and every one. Given at Rome, near St. Peter's, on the twenty-ninth day of November, 1914, in the first year of Our pontificate. BENEDICT XV.

II, TO THE REVEREND FATHER JOHN G. SHAW, BISHOP OF ST. ANTONII, CONCERNING THE EXCEPTIONAL CHARITY WITH WHICH HE AND HIS CLERGY AND RELIGIOUS FAMILIES HAVE WELCOMED CERTAIN MEXICAN ORDINARY AND PRIESTS, EXPELLED FROM THEIR COUNTRY. Venerable Brother, greetings and the apostolic blessing. — We have received some solace in this great sorrow, due to this fire of war which spreads more widely each day, in your, venerable Brother, and your clergy and religious families' liberality. Indeed, it has been reported that certain Mexican archbishops and bishops, as well as priests, have been welcomed.

[*Latin ed. p. 668*]

668 Acta Apostolicae Sedis - Official Commentary: Many, driven from their homes and their homeland, have found refuge with you, and you

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have embraced them with fraternal charity, thereby earning the gratitude of many, and demonstrating to all the zeal with which Catholics, and especially the clergy, from America, strive to show their devotion. This, for us, who are so concerned for the salvation and well-being of so many brothers and sons, is a source of great joy! And you, in turn, should diligently foster this example of charity among yourselves: surely, all good things will come to you along with it. Meanwhile, we wish to inform the same archbishops and bishops that they will be fulfilling their duties sufficiently, and will be providing sufficiently for their flocks, if they do what is fitting: and we, though absent in body, will be present with them in spirit and with many prayers, earnestly beseeching the Father of mercies and God of all consolation, that He may be with them in their tribulation, and that He may grant that, as soon as peace is restored, each one may be returned to his flock and may continue to serve God in a new spirit. Finally, may the blessings of heaven and the witness of our benevolence accompany you, venerable Brother, and all those, and may we impart our apostolic blessing to you, and to all the clergy and people, with paternal affection. Given at Rome, near St. Peter's, on the twenty-fifth day of November, in the year 1914, in the first year of Our Pontificate. BENEDICT XV.

TO THE MOST REVEREND GARD. MERCIER, ARCHBISHOP OF MECHELIN, OF THE BELGIAN NATION, WHO, GRIEVING THE SAD CONDITIONS, PRAISES THE PROPOSAL TO COLLECT PETER'S PENCE, BUT YIELDS TO THE NEEDS OF THE PEOPLE.

Beloved Son, greetings and the apostolic blessing. — Since we have paternal concern for all the faithful entrusted to our care by Divine Providence, and since both prosperity and, especially, adversity are common to us with them, it could not but be that we were deeply saddened when we saw the Belgian nation, so dear to us, brought to a completely lamentable condition by a most bitter and calamitous war. We see the King of the Belgians, his august family, and those who govern the republic...

[*Latin ed. p. 669*]

The Acts of Pope Benedict XV, number 669, relate that certain events have occurred, which, considering the piety of all, and especially Our own paternal affection, should move us to compassion. Therefore, for us who are grieved and afflicted, there is nothing more desirable than to see an end to so many most grievous events. May the merciful God hasten this! In the meantime, we strive to alleviate these sorrows as much as we can; and therefore, it has greatly pleased Us, and We have publicly expressed Our approval, that Our beloved son, Cardinal de Hartmann, Archbishop of Cologne, has secured that those presbyters found among the captives in Germany, both French and Belgian, should be treated no differently than military officers. As for the matter concerning Belgium, it has been brought to Our attention in these past days that the faithful of that nation, amidst

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such turmoil, do not cease to turn their eyes and hearts towards Us, and that, although perhaps burdened by calamities, they have set before themselves the intention of providing for the needs of the Apostolic See, just as in previous years, even in these most grievous times, they have collected the "Peter's Pence." This is indeed a singular testimony of piety and charity towards Us, and We greatly admire it, and We embrace it with a grateful heart, as is fitting. But considering the grave and burdensome condition in which Our beloved children are living, We cannot, in any way, encourage their intention, however noble it may be; rather, if any funds can be obtained, We wish to direct them to the aid of the Belgian people, who are so deserving of compassion, and who are conspicuous for their nobility and religion. May it bring comfort to the minds of those beloved children who are oppressed by difficulties and sorrows, that the hand of the Lord is not shortened that it cannot save, nor is His ear deaf that He does not hear. May the very hope of divine assistance lift them up in the coming days, when we shall celebrate the birthday of the Lord, and remember the peace which God announced to men through His angels. May it also refresh and comfort the minds of those who are sick and sorrowful, and may it be a testimony of Our paternal affection, for which We fervently implore God to have mercy on the entire Belgian nation, and to graciously pour forth upon them all good things. May the apostolic blessing be upon you, which We impart to all, and especially to you, Our most beloved son, with the greatest affection in the Lord. Given at Rome, near St. Peter's, on the feast of the Nativity of Our Lady, in the year 1914, the first year of Our pontificate. BENEDICT XV, POPE.

[*Latin ed. p. 670*]

670 Acta Apostolicae Sedis - Official Commentary

SUPREME SACRED CONGREGATION OF THE HOLY OFFICE

(SECTION ON INDULGENCES)

DECREE OR DECLARATION AND INDULGENCE CONCEDED TO SOCIETIES PROMOTING THE READING OF THE HOLY GOSPEL.

Given on the 26th of November, 1914.

Our Most Holy Lord, Pope Benedict, of Divine Providence, XV, having heard the Most Reverend Father, Prefect of the Holy Office, and graciously consenting to the prayers of the Most Eminent and Reverend Cardinal Maffi, has deigned to declare that, in order to obtain the Indulgences granted by the Most Holy Pope Pius X on the 23rd of April of the current year to societies promoting the reading of the Holy Gospel, it is not necessary for the faithful to be enrolled in a society existing in the place

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or diocese in which they reside, but it suffices that they give their name to anyone they please, from among those which have been canonically established by the Reverend Ordinaries.

Furthermore, in order that the members of these societies may more easily participate in the Indulgences, He has mercifully granted that the prescribed visitations in churches or chapels belonging to such societies may be carried out in any church or public oratory; with the exception of those who live in common, according to the Decree of this Holy Congregation, dated January 14th, 1909.

This present decree is valid forever, without any Brief being required.

In contradiction to anything to the contrary.

R. CARD. MERRY DEL VAL, Secretary.

L. S.

Donatus, Archbishop of Epliesin, Prefect.

[*Latin ed. p. 671*]

The Most Holy Congregation Consistorial declares concerning the decree of the Sacred Congregation Consistorial regarding priests migrating to certain regions, dated March 25, 1914. Certain Ordinaries having inquired whether the words stated in the decree, article 4, paragraph second, "who (Bishops) refer the matter to this Sacred Congregation," have force of precept, the same Sacred Congregation deemed it fitting to respond affirmatively, so that the word "refer" is equivalent to the words "must refer." Given at Rome, from the offices of the Sacred Congregation Consistorial, on November 22, 1914.

† C. CARD. DE LAI, Bishop of Sabina, Secretary.

L. † S. Sac. P. Pisani, Substitute for Emigration.

I CONFIRM: By a brief apostolic confirmation: October 13, 1914. — The Abbot of Saint-Maurice of Agaunum, Reverend Father Joseph Mariétan, of the Canons Regular of Saint Augustine, who is also the titular Bishop of the Church of Bethlehem.

[*Latin ed. p. 672*]

Acts of the Apostolic See - Official Commentary 672 II NOMINATIONS By decrees of the Holy Congregation for the Propagation of the Faith, the following were appointed: September 15, 1914. — Apostolic Administrator of the Apostolic Vicariate of Kimberlien, Reverend Father Dominic Charles Cox, titular Bishop of Dioclensis, and Apostolic Vicar of Transvaal. November 6. — Apostolic Prefect of Novae Guinea Hollandica, Reverend Father Henry Nollen, of the Congregation of the Most Sacred Heart of Jesus. HOLY CONGREGATION FOR RITES AND DECREE FOR THE APPROVAL OF THE TYPICAL BREVIARY OF THE VATICAN. With the pontifical commission established by a written decree of the Most Holy

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Pope Pius PP. X on July 2, 1911, to arrange the new order of the Psalms in the Roman Breviary and to suitably revise the rubrics accordingly, having presented to the Most Holy Pope himself in the Vatican edition of the Roman Breviary, which is contained in one volume, that all has been arranged and printed according to the norms of the Bull *Divino afflatu* and the Motu Proprio *Abhinc duos annos*, and in accordance with the Decrees, the Holy Congregation of Rites, by order of the Most Holy Pope, decrees that this edition is to be considered the typical one, to which all other editions must conform, and which shall remain entirely unchanged in the future, until the Apostolic See has ordered the final hand to be applied to the work, after all has been perfected with the aid of the best codices and ancient monuments, which require further time to complete, namely, with the sacred text revised, the historical readings amended, and the hymns revised, and with the homilies and sermons of the Fathers and Doctors restored to the true reading. From the Secretariat of the Holy Roman Church, March 25, 1914. Father S. CARDINAL MARTINELLI, Prefect. L. © S. f. Peter La Fontaine, Bishop of Charystien, Secretary.

[*Latin ed. p. 673*]

The Holy Congregation of Rites, Decree 673 II, concerning the approval of Offices which are inscribed in particular dioceses. Since the Reverend Ordinaries of the places and the Superiors of Regular Orders and other Institutes, having obtained the approval of the respective proper calendar or of particular variations or additions, in accordance with the general decree of the Holy Roman Congregation of October 28, 1913, have submitted the reformed Proper Offices themselves to the Holy Congregation for examination and approval, the Holy Congregation has judged it necessary and opportune to declare, as it expressly states: That by means of such approval, especially of the readings of the second nocturn, it is in no way to be understood or said that historical questions concerning the events, mentioned in those Proper Offices and readings, and especially concerning the monasticism of Saints or Blesseds, particularly of earlier times, and their belonging to one Order or another, are in any way resolved. Contrary opinions notwithstanding. November 28, 1914. SCIPIO CARD. TECCHI, Prefect. L. g* S. f. Petrus La Fontaine, Bishop of Charyste, Secretary. TO EACH PRIEST IS GRANTED THE FACULTY, DURING THE PRESENT WAR, FOR THE BENEFIT OF THE SOLDIERS, TO IMPART SINGLE BENEDICTIONS WITH MEDALS. From the audience of His Holiness, on November 10, 1914. Pius f. r. Pope X, having heard the prayers offered to him by the Reverend Norbert Monjaux, O. F. M., rector of the Institute for the propagation of the sacred scapulars among the soldiers, and having received the reply, dated March 22, 1912, from the

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Secretariat of State.

[*Latin ed. p. 674*]

674 Acta Apostolicae Sedis - Commentarium Officiale benignly permitted that all soldiers from land and sea forces, being under arms, might legitimately, at any time, be enrolled in the sacred scapulars, and that they should remain definitively enrolled and enjoy the attached indulgences and graces, under this only condition, that they carry a metallic coin, prescribed and duly blessed by the decree of the Most Holy Congregation of the Holy Office of December 16, 1910, and that they were not, however, previously required by law to receive scapulars made of cloth, as is fitting. Now, since it has been reported to the Holy See by the director of the same pious work that a very large number of soldiers desire to avail themselves of the benefit of wearing that spiritual coin, and that, for their necessity, priests are not available who possess the ability to attribute the blessing of individual scapulars to the coin, Our Most Holy Lord Benedict, by divine providence, Pope XV, having referred the matter to me, the undersigned Secretary of the Sacred Congregation for Extraordinary Ecclesiastical Affairs, in order to encourage these same soldiers in their excellent purpose, to excite in them more fervent feelings of piety, and also to obtain for them every kind of favor from the most sacred Heart of Jesus and the most blessed Virgin, has deigned to grant that all, both priests of the secular and regular clergy, even if not yet approved for hearing confessions, may have the full power to bestow the blessings of individual scapulars upon the prescribed coins, for the benefit of soldiers of any rank who are from nations at war, until this same war continues, and that they may freely and completely use these. Contrary to any provisions whatsoever, especially those established in the Motu Proprio of April 7, 1910, nothing shall be opposed to this. Given at Rome, from the Secretariat of the same Sacred Congregation, on the day, month, and year mentioned above. 1. Eugenius Pacelli, Secretary. 1. Cf. Acta Apostolicae Sedis, Vol. III, pages 22-23.

[*Latin ed. p. 675*]

SACRED ROMAN ROTA 675. SACRED ROMAN ROTA in Avignon. NULLITY OF MARRIAGE (BOTOLI-BUSSE). Under the blessed reign of Pope Pius X, in the eleventh year of his pontificate, on the 6th of July, 1914, the Most Reverend and Learned Fathers Aloysius Sincero, President; Joseph Mori and Frederick Cattani, Auditors, in the case of Avignon. – Concerning the nullity of the marriage between Magdalena Bosse, represented by her legitimate procurator, Reverend Father Albert Colomb, advocate, and Anthony Bujoli, with Anthony Bujoli intervening and disputing in the cause as Defender of the Bond ex officio, rendered the following definitive judgment. Magdalena Bosse, being twenty-six years of age, validly and lawfully celebrated her marriage with Anthony

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Bujoli on the 27th of February, in the year 1897. Since the marriage had an unhappy outcome, Magdalena Bosse contested its nullity, alleging duress and fear, before the court of Avignon, and obtained a judgment favorable to her on the 3rd of November, in the year 1911. However, the Defender of the Bond of the court of Avignon appealing, the cause came before Us to be decided, under the usual doubt: Whether the marriage is null in this case. The law pertaining to the matter: A marriage contracted under grave fear is, by positive ecclesiastical law, invalid, if the fear was unjustly and directly imposed to extort the marriage, for it is necessary that, where the consent of each party is required, the matter of coercion be absent. Chapter 14, Concerning Betrothals and Marriage. But in order for fear to invalidate a marriage, several conditions must be present: 1) The fear must be grave, or, concerning a man of constant mind, it must be the fear of some grave evil, either in itself or absolutely, or at least relatively, with respect to the person to whom the fear is instilled. Pirhing, book 4, Decrees, title 1, number 100, with common opinion. 2) It is necessary that the evil be believed to be imminent, not vainly or lightly, but probably and prudently. Sánchez, book 4, on Marriage, discourse 1, number 10.

[*Latin ed. p. 676*]

676 Acta Apostolicae Sedis - Commentarium Officiale et seqq. discuss. 3, n. % discuss. 4, n. 3, etc. Therefore, it is required, both on the part of the one who inspires fear, that he himself be capable of carrying out the threats, since he must not be a man of constant and strong character who is terrified and trembling by any threats, and who is accustomed to carrying out threats; otherwise, if he is boastful and easily abandons his anger; and also on the part of the one who experiences fear, that he not be easily able to avert the evils that he fears, because if he could remedy the situation in another way, then the fear is not just. Sabelli, Summa divers, tract., cap. Metus, n. 3; Schmalzgrueber, Ius. Can., part. 5, tit. 40, n. 3, etc. 3) Besides these conditions, in order for a marriage contracted under grave fear to be invalid, it is required that the fear be caused by an external and free cause, namely, by a human being, so that it is unjustly caused, and that it be caused with the intention of causing the marriage to be entered into. Pirhing, cit. n. 10 et seqq. with consensus. This concerns fear in general. However, depending on the external cause from which the fear arises, fear is distinguished into common or simple fear, and reverential fear, depending on whether a special relationship of dependence exists between the one who inspires fear and the one who experiences fear, or not. Reverential fear is said to be that which is caused by authority, namely, by someone in whose power we are: such as a prelate, a lord, a tutor, and, in commonly occurring cases, a father or mother. D'Ann., I, 138. Canonists also distinguish between common fear and reverential fear, based on the difference in the evil that is feared, teaching that reverential fear is properly said when someone fears

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the anger of a father, lord, etc. (which is certainly an evil), even if there are no beatings or threats. However, if one fears, for example, disinheritance or expulsion, then the fear is simply to be considered a grave fear. D'Annib. ib. Furthermore, some distinguish offense from anger, as D'Annib., ib.; others take them promiscuously, as Pirhing, cit., n. 119. And indeed, in concreto, it is often difficult to distinguish them, and rather attention should be paid to the substance of the matter than to the meaning of the words. Therefore, it must be carefully considered whether the son truly fears the sorrow and pain of his parents because of his disobedience, or whether he also fears some other evil. However, for the fear of the anger of parents to be able to invalidate a marriage, it is necessary that it present all the conditions that are required for fear in general, especially its gravity. First of all, it must be considered to be permanent or long-lasting, and not vain or slight, but prudent; otherwise, it cannot truly be called a grave evil. Furthermore, it must be a grave evil, either in itself, or at least with respect to the person who fears the anger.

[*Latin ed. p. 677*]

Romana Rota 677. Concerning the fact that indignation constitutes a grave evil, no general rule can be defined. Canonists generally state that a grave fear involves the fear of death or the mutilation of limbs, or of atrocious torments, of long and perpetual imprisonment, of exile, of the loss of a substantial part of one's possessions, etc. Although this enumeration is not to be taken as exhaustive, but rather as illustrative, one must not deviate from these examples when considering the gravity of the indignation: as indeed, Sánchez, *de matr.*, book 4, chapter 6, paragraph 14, truly states. Therefore, in a case of nullity of marriage, it is not sufficient for the plaintiff and witnesses to assert a fear of perpetual and grave indignation, unless that fear, from all the circumstances, truly appears to be a grave evil. The circumstances from which a judge usually determines the gravity of reverential fear are vexations, cruelties, grave threats, importunate and insistent prayers repeatedly made by the parents. Indeed, the cruelties and vexations of parents, especially if they are severe and continuous, are in themselves a grave evil. Grave threats from parents, if the parents are powerful and accustomed to carrying out their threats, and if the son or daughter cannot otherwise oppose them, provide strong evidence of a fear of some grave evil, or at least of a grave and prolonged indignation on the part of the parents, Reiff., I, XL, paragraphs 99, 100. Importunate and troublesome requests, by themselves, do not invalidate marriage, unless they also vex and severely oppress the son or daughter, and suggest a strong suspicion of a grave and prolonged indignation on the part of the parents. Pirhing, *ib.*, paragraph 119; Reiff., *ib.*, paragraph 101. This must be judged primarily from the character of the parents and children, and from the degree of force exerted. Instruction of the Sacred

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Congregation of the Holy Office, June 20, 1883, title VI, article III. Finally, there are authors who generally teach that one who is compelled by paternal authority or excessive reverence to do something should be said to have done so out of reverential fear, D'Annib., *ib.*. However, this is only admissible if, with other circumstances present, the authority itself provides a strong suspicion of a grave evil, or at least of a perpetual and grave indignation on the part of the parents; for fear is not understood without the danger of some harm, book 6, chapter on those things done by force, etc. In general, we can say that fear is difficult to prove, and the judgment regarding its gravity, and regarding the other conditions that can invalidate marriage, must be left to the prudent judgment of the judge, Reiffenstuel, paragraphs 77, 79 and following. Regarding the facts: The plaintiff, when questioned, responded: "Have you suffered from your parents any pressures other than advice, reasons, or more or less insistent requests? Have there been..."

[*Latin ed. p. 678*]

678 Acta, Apostolicae Sedis - Commentarium Officiale: "Traitements, violences de langage ou autres? Certains de ces faits « se sont ils passés devant témoins? » respondit: « Mes parents employè« rent tous les moyens pour me déterminer à accepter Mr Bujoli. C'était, « disaient-ils, un bon parti, et qui devait me contenter de tous les « points. J'avais beau protester, on finit par ne plus même m'écouter « (j'étais une enfant, une folle, ne sachant ce que je faisais). Or ma mère « m'inspirait une très grande crainte, je tremblais devant elle, et je ne « songeais guère à lui résister: j'étais plus libre avec mon père, et à « la veille du mariage civil, je le pris à part, lui disant: " Je ne veux « pas de ce mariage: je déteste Mr Bujoli „. Mais mon père ne voulut « rien entendre. Je ne comptais pas plus pour lui, que pour ma mère, « à ce point de vue. « Je voulus alors faire intervenir Mr Bruneon, cet ami de la famille « qui nous avait amené Mr Bujoli, et je lui dis: " C'est vous, qui l'avez « introduit dans la maison, je ne veux pas de lui. Je vous charge de le « déclarer à mes parents, je vous en donne la mission et vous en fais un « devoir de conscience „. Il s'acquitta de cette mission: mais mes parents « ne voulurent rien entendre encore. Du reste ma mère avait dit un « jour à une de ses amies intimes, que j'étais une de celles que l'on « marie, mais qui ne se marient pas ». *Iamvero actrix affirmat quidem suos parentes mediis omnibus usos esse ut ipsam inducerent ad matrimonium, sed quaenam fuerint in specie haec media non dicit: quin immo ex eius verbis: « c'était, disaient-ils, un « bon parti, et qui devait me contenter de tous points », coniiciendum potius esset haec media limites suasionum et cohortationum non excessisse. Idque confirmatur ex depositione matris actricis. « Quant à mon « mari et à moi, testata est ipsa, j'avoue que nous avons tout fait pour « l'y décider. Nous voulions la marier afin d'assurer le plus tôt possible « son avenir. Car, ainsi que je l'ai dit, elle avait 26 ans. À cette fin j'ai « usé tour

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à tour des prières, des paroles dures et même blessantes, « disant qu'elle n'était pas digne de ce parti, qu'elle n'avait pas de « cœur, et qu'elle ne comprenait pas ce jeune homme. Rien de plus ». *Abfuerunt igitur vexationes, saevitiae et graves minae; sed precibus tantum contenderunt parentes ut animum filiae flecterent. Quod si mater actricis declarat has preces fuisse assiduas et molestas, finis tamen seu ratio non fuit aliqua ex matrimonio propriae domui utilitas aut decus obventurum, sed bonum et utilitas filiae ipsius: quare nemo prudens timere potuisset ex iis precibus et facti circumstantiis aliquod grave malum ex parte parentum, vel ipsorum perpetuam et gravem indignationem. Arg. ex cit. Decr. S. Congr. S. Officii, diei 20 iunii 1883.

678. The Acts of the Apostolic See - Official Commentary: "Were there treatments, verbal abuse, or other [forms of coercion]? Regarding whether some of these events 'occurred in the presence of witnesses,' she responded: 'My parents used every means to persuade me to accept Mr. Bujoli. They said, 'It is a good match, and it will satisfy you in every way.' I protested as much as I could, but they eventually stopped listening to me (I was a child, a foolish girl, not knowing what I was doing). Moreover, my mother inspired in me a great fear; I trembled before her, and I scarcely thought of resisting her. I was freer with my father, and on the eve of the civil marriage, I spoke to him privately, saying, 'I do not want this marriage; I hate Mr. Bujoli.' But my father would not listen to me. I counted no more with him, in this regard, than I did with my mother. I then wanted to involve Mr. Bruneon, that friend of the family who had brought Mr. Bujoli to us, and I said to him, 'It is you who introduced him into the house; I do not want him. I charge you to tell my parents this; I give you this mission, and you make it a matter of conscience.' He carried out this mission, but my parents still would not listen. Furthermore, my mother had said to one of her close friends one day that I was one of those who are married, but who do not marry themselves.'

Indeed, the actress affirms that her parents used all means to persuade her to marry, but she does not say what these means were specifically. Rather, from her words: 'It was, they said, a good match, and one that would satisfy you in every way,' it is more likely that these means did not exceed the limits of persuasion and exhortation. This is confirmed by the testimony of the actress's mother. 'As for my husband and me,' she testified, 'I admit that we did everything to persuade her. We wanted to marry her in order to secure her future as soon as possible. For, as I have said, she was 26 years old. To this end, I used prayers, harsh words, and even hurtful ones, saying that she was not worthy of this match, that she had no heart, and that she did not understand this young man. Nothing more.' Therefore, there were no vexations, cruelties, or serious threats; but the parents only resorted to prayers to try to change their daughter's mind. If the actress's mother declares that these prayers were constant and troublesome, the end

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or purpose was not some benefit or honor to be gained from the marriage for the family itself, but the good and benefit of the daughter herself; therefore, no prudent person could have feared from these prayers and circumstances any serious harm on the part of the parents, or their perpetual and serious indignation. Argument from cited Decree of the Holy Office, of June 20, 1883.

[*Latin ed. p. 679*]

And this is also confirmed by what preceded this marriage. For, previously, Magdalena had already rejected three men who had proposed marriage to her, and her parents had not exerted any coercion upon her. Furthermore, the father of the actress, in a letter written at a time when there was no suspicion, stated the following: "Madeleine told Madame Seguin that she was being 'forced to marry Mr. Bujoli.' This is a sad lie. 'Nounou' was here, and she can tell you if there was anything forced on our part. Up to the moment of leaving for the town hall, I told Madeleine: 'If you are not marrying willingly, you can say so; you are still in time.' My wife spoke to her in the same way. Therefore, 'nothing was imposed...' Mr. Bujoli managed so well that Madeleine did not reject him." With these things established, it is superfluous to inquire into the character and disposition of the parents and the daughter, and to bring forward the testimonies of other witnesses; for they either testify only in general terms about fear, and in law, fear is not proven by the general statements of witnesses, as Coscius states in *De separatione iuri*, Book 1, Chapter 8, paragraph 61, or they testify only about the actress's distress and unwillingness, and her opposition to entering into marriage with Mr. Bujoli. The Reverend Father Paulus Levezon testified, in fact: "I do not know that the parents exerted any threat or violence upon her to persuade her to marry Mr. Bujoli. But they certainly used many entreaties and hurtful words, in order to achieve their goal." It is not even clear from whom he learned that the actress's parents used these constant and troublesome entreaties. Furthermore, he adds: "Both (the parents) loved their daughter very much"; which is scarcely compatible with such grave and unjust coercion. Michael Bruneon, on the other hand, stated: "My conviction is that Miss Bosse 'went to this marriage only under duress and compulsion. The day before the civil marriage, I was at the home of Mr. and Mrs. Bosse, and their daughter asked me for permission to speak to me privately for a few moments. There, once again, she renewed all her repugnance for this marriage, saying that she did not want it in relation to herself, but that, having always treated her like a father, she asked me to tell her whether or not she should go ahead, and that she 'would do what I told her.' I reminded her again that she should accept this match, that it would be difficult for her to back down, that she was of an age to make a decision, and that, finally, the marriage itself and the habit that would follow would resolve all things. However, apart from me, I was

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impressed by the state of mind of Miss Bosse..."

[*Latin ed. p. 680*]

680 Acta Apostolicae Sedis - Commentarium Officiale « she spoke of reacting against her repugnances... ». Furthermore: « The parents 'saw this marriage favorably, especially because this young man 'had an independent position, and this title of notary 'pleased them 'very much. As for the young woman, she felt an invincible repugnance towards him, and I can say that she never 'changed her mind about this 'first impression... I always tried to encourage her, 'because I knew that she was without willpower, and I told her: 'You will see 'that once married, and with time passing, you will become accustomed to this 'young man, and you will eventually 'come to accept him. This is how 'things usually happen. 'However, in all of this, there was no trace or indication of serious force or violence exerted by the parents upon the daughter. This is so true that, when asked again 'What do you personally know about the pressure they may have exerted on her...', he could only answer: 'I have already answered part of 'this question: on several occasions, she told me: 'My parents want me to marry this man: I do not love him, and I believe 'that I will never love him. Rogerius de Mescoysol de Beaulieu testified: 'Certainly, the 'parents of the young woman exerted great pressure on her will: 'they wanted this marriage. Did these various influences go so far as to 'affect and force the intimate consent of Miss Bosse? This is a 'matter of conscience, and I cannot affirm it. For us, 'lawyers, she would have had sufficient capacity to validly sign 'a document. But 'in the eyes of conscience, something more is required, and 'that is what I cannot establish. I only repeat that Miss Bosse 'went to the altar without enthusiasm, to the point that one could 'wonder if she was not leaving behind some affection, and that 'she was being forced to break it. All of this is far from the force and violence that would have been exerted so that she would consent to the marriage with Mr. Bujoli. The same judgment must be given regarding the testimonies of Messrs. de Brunet and Belladen: for from them, either some repugnance is only indicated on the part of the daughter, or certainly, serious force and violence on the part of the parents is not proven. It is also important to note the testimony of Mr. Bujoli, who stated: 'I swear on the head of my father and on what I hold most 'sacred that Miss Bosse never asked me to renounce this marriage. 'She did not persevere in a chimerical resistance to this marriage 'to such an extent that, four days before the ceremony, when 'I myself had considered withdrawing, Miss Bosse came with her 'mother, on the bridge of Avignon, to beg me to consent to the marriage.

[*Latin ed. p. 681*]

Finally, and most importantly, the letters written by the actress, both before and after the marriage, to the sisters of Mr. Bujoli and to Mr. Bujoli

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himself, clearly demonstrate that she was not compelled by force or violence to enter into marriage with Mr. Bujoli. For example, a few days before the marriage, she wrote: "I am happy and very proud to bear the name of Bujoli, which is 'synonymous with honor and consideration, proud to be loved by a nature 'as delicate as that of Antoine'." Furthermore: "Your brother is always 'the best and most delicate of beings. Every day I learn to know and appreciate him more'." And, to omit other things, after the marriage, she wrote: "At this hour, thank God, I feel 'that I love my husband above all things... and that forever'." Furthermore: "I am body and soul with Antoine forever." It is utterly unbelievable that all these letters, as well as the one sent to Mr. Bujoli, were written under duress and violence from her parents. The actress's advocate diligently examined the circumstances immediately preceding the marriage; however, these are not proven by the records and documents presented in the case, but are affirmed almost entirely by the actress herself, and at most, they reveal that the actress's mind was for some time ambivalent, hesitant, or resistant to the marriage with Mr. Bujoli. Even if this were admitted, it would be necessary to attribute the curses uttered against Mr. Bujoli to envy from some of her adversaries, and not to force or violence exerted by her parents upon the daughter; as is clearly evident from the testimony of the actress's mother and from the letter written by her father to Mrs. Seguin. Having considered and weighed all these matters in law, and invoking the name of Christ, We, the undersigned Auditors of Tournon, sitting as a tribunal and having only God before our eyes, respond to the doubtful question: Negatively, or it does not appear that the marriage is null in this case. Thus we pronounce, ordering the Ordinaries of the places and the ministers of the tribunals to whom it pertains, to enforce this our definitive sentence, and to proceed against those who resist, according to the norms of the sacred canons, and especially chapter 3, session 25, of the Council of Trent, using the executive and coercive means that may prove more effective and appropriate for the circumstances. Aloysius Sincero, President. Joseph Mori. Frederick Cattani. L. "From the Chancery, July 24, 1914. Sac. T. Tani, Notary. ACTA, vol. VI, n. 20. 9-12-1914. 49

[*Latin ed. p. 682*]

Official Commentary on the Acts of the Apostolic See, 682 II. The Most Reverend Monsignor Mori, presiding in the cause concerning the defamation of Lausanne and Geneva, in execution of the final sentence of February 21, 1914, has ordered the publication of the following DECLARATION:

The undersigned, Father Reginald Pei, O.P., formerly professor at the Catholic University of Freiburg, having, in his theological work, "Dogmatic Theology," published in 1904 by P. Marietti, with two notes appended in the third volume, one on page 189 and the other on page 196, gravely offended the honor of the Reverend Olino Crosta, deplores and retracts

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what is written in those notes, and from this moment undertakes either to withdraw said work from commerce, or to ensure that the aforementioned notes are suppressed and destroyed. He declares this out of a sense of conscience and to remedy in every way the damage caused by such publication, thereby fully complying with the two decisions of the Holy Roman Rota pronounced, one on December 12, 1912, and the other on February 21, 1914.

Father Reginald Fei.

L. © From the Sacred Chancery, November 27, 1914.

Reverend T. Tani, Notary.

[*Latin ed. p. 683*]

From the Diary of the Roman Curia, 683. DIARY. SECRETARY OF STATE. Through the Secretary of State's documents, the Holy Father has deigned to appoint: November 26, 1914. — His Eminence, Cardinal Francesco di Paola Cassetta, Protector of the Order of the Discalced Augustinians of Italia and Germania. — His Eminence, Cardinal Michele Lega, Protector of the Religious Sisters of the Divine Love, in Roma. — Monsignor Antonio Cani, Rector of the Apostolic College of the Leonians. November 27. — His Eminence, Cardinal Vincenzo Vannutelli, Protector of the Missionaries of Africa, known as the White Fathers. November 28. — His Eminence, Cardinal Francesco di Paola Cassetta, Protector of the Congregation of the Sons of Mary Immaculate. — His Eminence, Cardinal Diomede Falconio, Protector of the Third Order of Saint Francis, in Dubuque (Iowa, United States of America). — His Eminence, Cardinal Gennaro Granito Pignatelli di Belmonte, Protector of the Pious Union of women and young Catholic women for the aid of the Missions, of Plaffandorf. — His Eminence, Cardinal Gaetano Bisleti, Protector of the Brothers Hospitallers of the Immaculate Conception. November 29. — His Eminence, Cardinal Gennaro Granito Pignatelli di Belmonte, Member of the Sacred Congregation of Rites. — Monsignor Pietro Alfonso Jorio, titular Archbishop of Nicomedia; Monsignor Vincenzo Sardi, titular Archbishop of Caesarea of Palestine; and the Reverend Father Giuseppe Lemius, General Procurator of the Oblates of Mary Immaculate, Consultors of the same Sacred Congregation for the causes of the Servants of God. — Monsignor Giovanni Bressan, Canon of the patriarchal archbasilica of the Lateran, Consultant of the same Sacred Congregation for the liturgical part. November 30. — His Eminence, Cardinal Filipp > Giustini, Protector of the Institute of the Ursuline Sisters of the Leonian Union. December 1. — His Eminence, Cardinal Francesco di Paola Cassetta, Protector of the Sacred Military Order Constantinian of Saint George. — His Eminence, Cardinal Antonio Vico, Protector of the Institute of the Brothers of the

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Christian Schools.

[*Latin ed. p. 684*]

684 Acta Apostolicae Sedis - Official Commentary, December 1, 1914. — His Eminence Cardinal Basilius Pompilius, Protector of the Polish College in Rome. — The Reverend Father Nicolaus Sebastiani, Chancellor of the Brevi Apostolici. December 6. — His Eminence Cardinal Michael Lega, Protector of the Missionaries of Saint Charles for the assistance of emigrants. — Monsignor Giovanni Bressan, Secretary of the Cardinal Commission for the Work of the Preservation of the Faith, in Rome. By an Apostolic Brief, the Holy Father Pius X of blessed memory, deigned to appoint: Apostolic Protonotaries *ad instar participantium*: July 1, 1914. — Monsignor Francesco Durusselle, vicar general of the archdiocese of Rennes. By Apostolic Briefs, the Holy Father Benedict XV, reigning happily, deigned to appoint: Chaplains of the Common Chapel of the Papal Chapel: November 26, 1914. — Monsignor Ugo Descuffi, official of the Holy Congregation for the Propagation of the Faith. November 27. — Monsignor Giuseppe Liverani, beneficiary of the patriarchal basilica of the Vatican. — Monsignor Donato Fontana, cleric and beneficiary of the aforementioned basilica. Domestic Prelates of His Holiness: November 3, 1914. — Monsignor Alfonso Árcese, rector of the church of Saint Lucy in Brooklyn. November 5. — Monsignor Emilio Bongiorni, vicar general, and Monsignor Domenico Menna, provicar general, of the diocese of Brzesc. November 19. — Monsignor Giovanni Tommaso Whelan and Monsignor Giacomo Holden, pastors of the city of Baltimore. November 21. — Monsignor Professor Giuseppe Latini, fiscal advocate of the Sacred Congregation of the Holy Office. — Monsignor Canon Felice Marinelli, advocate for the accused at the same Congregation. — Monsignor Tito Topini, canon of Saint Eustachius, in Rome. November 23. — Monsignor Canon Edmondo Dalbor, vicar general of the archdiocese of Posen.

[*Latin ed. p. 685*]

From the Roman Curial Diary, 685, November 25, 1914. — Monsignor Professor Carlo Giovanni Cronin, chancellor of the Archiepiscopal Curia of Birmingham. — Monsignor Tommaso Ottley, counselor of the episcopal curia of Southwark. November 26. — Monsignor Lorenzo Cipolletta, general vicar of the diocese of Venosa. December 1. — Monsignor Domenico Fortuna, pro-general vicar of the diocese and canon theologian of the cathedral of Sora. — Monsignor Canon Vincenzo Bruni, vice-dean of the chapter and rector of the seminary of the same diocese.

HONORS. By Apostolic Briefs, the Holy Father Pius X, of blessed memory, deigned to bestow the following honors: The Knighthood of the Order of Saint Gregory the Great, civil class: May 29, 1914. — To Mr. Giuseppe H. O'Neil, of the Archdiocese of Boston. — To Mr. Enrico Heide, residing in

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the Archdiocese of New York.

By Apostolic Briefs, the Holy Father BENEDICT XV, happily reigning, deigned to bestow the following honors: The Grand Cross of the Order of Saint Gregory the Great, civil class: November 4, 1914. — To Mr. Count Rodolfo Norman, noble of Valpovo. The Commanderate of the Order of Saint Gregory the Great, civil class: November 13, 1914. — To Mr. Patrick Burns, of the diocese of Calgary. The Knighthood of the Order of Saint Gregory the Great, civil class: November 1, 1914. — To Mr. Angelo Capurì, of the Archdiocese of Bologna. — To Mr. Petronio Bignardi, of the same Archdiocese. The Knighthood of the Order of Saint Sylvester the Pope: October 29, 1914. — To Mr. Archimede Pasquinelli, director of the propaganda office of the Popular Union. November 10. — To Mr. Engineer Carlo Grazioli, of Rome. November 25. — To Mr. Engineer Pietro Agosti, of the diocese of Ventimiglia.

[*Latin ed. p. 686*]

686 Acta Apostolicae Sedis - Official Commentary

BY THE ORDER OF HIS HOLINESS, the Holy Father has deigned to appoint the following:

Secret Chamberlains in commendam:

September 25, 1914. — Mons. Guido Anichini, of the archdiocese of Palermo.

October 12. — Mons. Anthony Melomo, of the diocese of St. Mark and Bisi'gnano.

October 15. — Mons. Fabio Ferrini, of the archdiocese of Perugia.

October 31. — Mons. Ladislaus Hozakowski, of the archdiocese of Gnesen.

— Mons. Joseph Klos, of the same archdiocese.

— Mons. Lawrence Kotecki, of the same archdiocese.

— Mons. Joseph Surzyuski, of the same archdiocese.

— Mons. Stanislaus Okoniewski, of the same archdiocese.

— Mons. Anthony Laubitz, of the same archdiocese.

November 7. — Mons. Blasius Swinderman, of the archdiocese of Zagreb.

— Mons. John Homgi, of the same archdiocese.

— Mons. Charles Horvat, of the same archdiocese.

— Mons. John Göszl, of the same archdiocese.

— Mons. Emilius Callocchia, of Rome.

— Mons. Thomas Sabatino, of the diocese of Aversa.

November 10. — Mons. John Antonietti, of the diocese of Cagli and Pergola.

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November 12. — Mons. Richard Orsenigo, of the archdiocese of Vercelli.

— Mons. Francis Vagni, of Rome.

November 13. — Mons. Gabriel Piccoli Noël, of Rome.

November 14. — Mons. Emilian, Doctor Cagnoni, of the archdiocese of Bologna.

November 17. — Mons. Ferdinand Callerio, of the diocese of Novara.

— Mons. Stephen Cominazzini, of the same diocese.

November 18. — Mons. Edgardo Vauquelin, of the diocese of Moulins.

— Mons. Richard Schüller, of Rome.

— Mons. Alphonse Dénier, of the diocese of Moulins.

November 19. — Mons. Joseph Criscuolo, of Rome.

— Mons. Nicholas Grazioli, of the archdiocese of Sassari.

Honorary Chamberlains in the paonazzo livery of His Holiness:

September 30, 1914. — Mons. Felix Valerga, of Rome.

October 31. — Mons. Stanislaus Lukomski, of the archdiocese of Gnesen.

— Mons. Andrew Ussorowski, of the same archdiocese.

[*Latin ed. p. 687*]

687 *Diarium Romanae Curiae*, November 7, 1914. — Monsignor Emerico Dovranió, of the archdiocese of Zagreb. — Monsignor Stefano Gjanié, of the same archdiocese. — Monsignor Stefano Kórenió, of the same archdiocese. — Monsignor Giov. Angelo Ruspini, of the same archdiocese. — Monsignor Mattia Prostenik, of the same archdiocese. — Monsignor Giovanni Rorkovié, of the same archdiocese. — Monsignor Giovanni Barle, of the same archdiocese. — Monsignor Floriano Rittig, of the same archdiocese. — Monsignor Valentino Cebusnik, of the same archdiocese, — Monsignor Lorenzo Radicevié, of the same archdiocese. November 12. — Monsignor Emilio Mazari, of the archdiocese of Brindisi. — Monsignor Tito de Leonardis, of the diocese of Termoli. November 16. — Monsignor Luigi Gavotta, of the diocese of Foggia. November 17. — Monsignor Guglielmo Torelli, of the diocese of Novara. — Monsignor Eucherio Pasquinangeli, of the diocese of Civita Castellana. November 18. — Monsignor Antonio Li Destri, of the diocese of Cattagirone. — Monsignor Ettore Panunzi, of Rome. November 19. — Monsignor Antonio Micozzi, of Rome, Extraordinary Chamberlain of Sword and Cape to His Holiness: — The Most Honorable Marquess Martino Malony, of Philadelphia. September 28. — The Most Honorable Count Carlo Le Moyne de Martigny. October 14. — The Most Honorable Knight Giuseppe Giglio Tramonte, of the archdiocese of Palermo. October 15. — The Most Honorable Baron Giuseppe de Piro Gourgion, of Malta. — The Most Honorable Count Enrico M. Thierry Michel de Pierredon, of the archdiocese of Paris. October 31. — The Most Honorable Romano de

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Komierowski, of the archdiocese of Gnesen. — The Most Honorable Stefano Cegielski, of the same archdiocese. — The Most Honorable Count Marcello Czarnecki, of the same archdiocese. — The Most Honorable Prince Olgierd Alessandro Czartoryski, of the same archdiocese. — The Most Honorable Giovanni Hasche, of the same archdiocese. — The Most Honorable Taddeo de Jachowski, of the same archdiocese. — The Most Honorable Carlo de Stablenski, of the same diocese. October 31. — The Most Honorable Stanislao de Turno, of the same archdiocese. November 7. — The Most Honorable Lucio Suttor, of the archdiocese of Paris. November 10. — The Most Honorable Emmanuele Casasnovas Sanz, of Barbastro. — The Most Honorable Count Lodovico de Franqueville, of the archdiocese of Paris. November 20. — The Most Honorable Count of Montoro Francesco di Mauro di Capua Sanseverino, of the archdiocese of Naples. September 25, 1914.

[*Latin ed. p. 688*]

688 Acta Apostolicae Sedis - Official Commentary. Honorary Chamberlains of Sword and Cape, extraordinary: September 25, 1914. — Mr. Amedeo Giovanni Battista Richardet, of the archdiocese of Paris. November 7. — Mr. Pietro Gambaro, of the archdiocese of Genoa. — Mr. Ernesto Lombardo, of the same archdiocese. November 13. — Mr. Count Ernesto Rubinacci, of the archdiocese of Naples! Honorary Secret Chaplains of His Holiness: November 7, 1914. — Monsignor Raffaele De Biase, of the diocese of Aversa. November 12. — Monsignor Tommaso Galiandro, of the diocese of Termoli. Honorary Chamberlain outside the City of His Holiness: November 19. — Monsignor Luigi Mulas, of the diocese of Suelli. Honorary Chaplains outside the City of His Holiness: October 31, 1914. — Monsignor Aquilino Gitterio. — Monsignor Paolo Gregor, of the archdiocese of Gnesen. November 10. — Monsignor Roberto Marini, of the diocese of Sutri. November 17. — Monsignor Giuseppe Scarcella, of the archdiocese of Messines. November 21. — Monsignor Ludovico Mondini, of the diocese of Piacenza. NECROLOGY: December 1, 1914. — The Most Reverend Cardinal Francesco Virgilio Dubillard, Archbishop of Chambéry. — Monsignor Enrico Vieter, titular Bishop of Paretonio, Apostolic Vicar of Cameroon. December 2. — Monsignor Valentino Ampuero, Bishop of Puno. December 5. — The Most Reverend Cardinal Angelo di Pietro, Datary of His Holiness.

[*Latin ed. p. 689*]

Year VI. - Vol. VI. December 30, 1914. No. 21. ACTA APOTOLICAE SEDIS. OFFICIAL COMMENTARY. ACTA OF BENEDICT XV. BY PAPAL ACT. CONCERNING THE THEOLOGICAL COLLEGE OF BONONIA. BENEDICT XV. It has always been the solemn purpose of this Apostolic See to foster the study of sacred theology, by which the souls of priests

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are wonderfully aided in their spiritual well-being; for it has been divinely ordained that, while this See transmits the doctrines of the Faith to all nations with an infallible teaching authority, it should also be the safest guide in the pursuit of sacred disciplines. Indeed, with regard to this matter, it must certainly be included among the praises of this same Apostolic See, the General Studies in the Theological Faculty, which Innocent VI, our blessed predecessor, established in BONONIENSI, in the most noble city, perpetually and enduringly, by the Constitution *Quasi lignum vitae*, published on June 22 in the year 1561, at Avignon. For this Studium, which is not older than any other in Italy, except perhaps that of Bologna, and which has always been justly compared to the Parisian Sorbonne, has been a source of glory to the Roman Church and to the Catholic religion, not only through the study of human and divine letters, but also through the illustrious men who have emerged from it, renowned for their knowledge, their honors, and their virtuous lives; and among these, there have been many who have attained the highest positions in this Pontifical See.

[*Latin ed. p. 690*]

Acta Apostolicae Sedis - Commentarium Officiale 690. The Cathedra [of St. Peter] having been established, [the University of Bologna] received [its privileges]. However, throughout the passing centuries, neither the fruits nor the fame nor the esteem of the Studium Bononiensis ever diminished; and this, together with the most illustrious School of Law, was a principal reason why the Alma Mater Studiorum retained its name in the city of Bologna. Indeed, that disturbance of all things, which afflicted Europe at the end of the nineteenth century, did, nevertheless, although it caused suffering, not completely extinguish this Studium, and the Collegium Theologorum, which had been established, received new vigor in the year 1824, when, by the Constitution *Quod divina sapientia*, promulgated by Our blessed predecessor, Leo XII, the Studium Bononiensis was added to the University of Bologna. To the foresight and care of the Roman Pontiffs, no one has ever failed to give excellent response; and a memorable example of this fidelity was seen in the recent changes in public affairs. For when many, through negligence, abandoned their duties and adapted themselves to new things, not one of the doctors and masters of this College and Studium was found who had received instruction from the Apostolic See, and who had promised obedience to its jurisdiction; but all, before the Archbishop, as Chancellor of the College, with whom no hostile power could ever remove this honor, gathered together; and although, if it were ever forbidden to them, they would cease to perform their duties, they did not cease, even in those times of sadness, to safeguard the patrimony of the ancient glory. We, to whom it has been a great pleasure, while governing the Church of Bologna, to have held this office of Chancellor, and now, by

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the inscrutable counsel of God, placed at the helm of the entire Catholic name, indeed desire that the glories of this College, which we have remembered, should not only be made known to all, but also, if possible, increased, along with the sacred increase in usefulness for the clergy, to whose solid and sound institution we have striven with the greatest effort. We also know that Thomas Aquinas is rightly honored there, whose doctrines Our illustrious predecessors, Leo XIII and Pius X, have extolled with the highest praise, and have prescribed that they be religiously retained in Catholic schools.

[*Latin ed. p. 691*]

691 The Acts of Pope Benedict XV. Therefore, through these letters, we declare that the Theological College and General Studies in Bologna, within the Theological Faculty, shall remain as they were established by Innocent VI and confirmed by Boniface IX; and whatever our predecessors wisely decreed concerning these matters, we ratify with our own Apostolic authority. However, since, over so long a period, and especially in recent times, many colleges and academies for the teaching of theology have been legitimately founded, we, desiring to restore the ancient prestige of the Bolognese institution as much as possible, and to ensure that nothing is diminished of the benefits that are granted to other dioceses, by the same Apostolic authority, we decree that the Archchancellor and the Theological College of Bologna, observing the prescriptions and endeavors of the Sacred Council, – and especially the decree of the Angelic Doctor, issued on the twenty-ninth of June of this year, concerning the upholding of the principles of Saint Thomas Aquinas in philosophy and the instruction of the *Summa Theologica* in theological schools – or other precepts that the Apostolic See may prescribe, may confer academic degrees and honors, not only to those who have properly completed their course of studies in the schools of the College, or who, coming from neighboring dioceses, intend to pursue those degrees in Bologna, but also to those for whom, according to the special law of the aforementioned Sacred Council, it is not necessary to attend another legitimate seat of learning in order to obtain those academic degrees and honors. And these things we decree, notwithstanding any contrary provisions. Given at Rome, at Saint Peter's, on the third of March, 1914, in the first year of our pontificate. BENEDICT XV, in the month of December.

[*Latin ed. p. 692*]

692 Acta Apostolicae Sedis - Official Commentary on the LETTER to the Most Reverend Father Flor Mortier, General Moderator of the Congregation of the Immaculate Heart of Mary, written on the occasion of the fiftieth anniversary of the founding of the aforementioned Congregation. Beloved Son, greetings and the apostolic blessing. — You request that We bestow

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the apostolic blessing upon the Congregation which you diligently govern, and you write to me about this request because the fiftieth anniversary of the founding of the Congregation is approaching. There is nothing, beloved Son, to prevent us from gladly granting these prayers. For We know how zealously Our predecessors have fostered this religious family; We know also of the active and fruitful charity with which your members, especially in spreading the name of Christ, have merited well of the Church and of the Apostolic See. These most excellent merits also commend you admirably to Us. Indeed, moved by the apostolic office to which We have been raised, We are urged by the love of Christ, not only for those whom divine grace has given to the Church and to Us as sons, but also for others who are still outside the Church and estranged from Us. Therefore, be careful never to stray from your vocation; rather, maintaining the inviolable discipline of your Congregation, pursue the holy purpose of the Founder, so that you may please God, who has chosen you to be holy, more and more each day. May these wishes of Ours be fulfilled by the apostolic blessing, which, as a witness to heavenly blessings and of Our benevolence, We impart to you, beloved Son, to your members, and especially to those devoted to the sacred missions, in the Lord. Given in Rome, at St. Peter's, on the twenty-first day of November, 1914, in the first year of Our pontificate. BENEDICT XV.

[*Latin ed. p. 693*]

Acts of Pope Benedict XV, 693, II, Addressed to the General Moderator of the Congregation of Priests of St. Mary, presented with due reverence to the Most Blessed Father, for the sake of devotion.

Beloved Son, greetings and apostolic blessing. – We have received your and your religious companions' wishes; for, while the signs of obedience which spring from the piety of children are pleasing to Us, those offered by religious families are all the more welcome, which we justly hold in high regard. But the Congregation of Priests of St. Mary not only commends to Us the vigor of discipline and the study of evangelical perfection, but also a particular work, which, called "The Good Death," we know flourishes through their diligence and industry, and is widely propagated. Indeed, your charity is very much concerned with that ultimate moment of life, from which eternity depends, and you rightly invoke the help of Mary, Mother of Sorrows, for those who are engaged in it. For what can be hoped for those to whom this most blessed Mother is present when the time approaches to depart from this life? May God grant that this work may be spread as widely as possible, and may all hold to the patronage of the Virgin, so that they may conduct their lives in such a way as to merit a precious death in the sight of the Lord.

Looking forward to divine graces and a witness to Our benevolence, We impart to you, beloved Son, and your companions, Our apostolic blessing,

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which We bestow with a paternal heart.

Given at Rome, near St. Peter's, on the twenty-fourth day of November, 1914, in the first year of Our pontificate.

BENEDICT XV.

III, Addressed to the Reverend Aloysius Oster, President of the Governing Council of the Work called "The Holy Infant Jesus" in Upper Germany.

Beloved Son, greetings and apostolic blessing. – From the official letters which you recently sent to Us, We gladly learned of the most excellent work of charity, to which the name "The Holy Infant Jesus" has been given, and so...

[*Latin ed. p. 694*]

694 The Acts of the Apostolic See – An official report has been circulated among the Catholic nations of Germany, stating that, as a truly remarkable contribution to the entire Catholic world for the coming year for the same work, nearly half of the children of Germany have contributed. We are indeed greatly pleased and justly congratulate them. For when it is a question of eternally safeguarding the salvation of so many poor children, it is a beautiful and pleasing thing to see the order of children leading the way in offering help to those in need, and thus commendably learning charity from a young age. Indeed, we have made vows that the work mentioned above may be so favored and protected by the providence of God, that it may flourish more and more, and increase day by day. To this end, as a pledge of heavenly blessings and a testament of Our benevolence, We impart to you, beloved Son, and to all the children, directors, and helpers, Our apostolic blessing in the Lord. Given at Rome, near the blessed Peter, on the eighth day of December, in the year 1914, the first of Our pontificate. BENEDICT XV.

ADDRESS GIVEN ON DECEMBER 24, 1914, TO THE COLLEGE OF CARDINALS, OFFERING PRAYERS AND WISHES ON THE EVE OF THE NATIVITY OF OUR LORD.

The solemnity of the Nativity of our Lord Jesus Christ, consecrated by custom to the reciprocal exchange of greetings and wishes, offers us today a welcome opportunity to address for the first time this venerable College. And it is with particular satisfaction that, from the authoritative words that have faithfully echoed those of the Most Reverend Dean, we have now learned what sentiments are held by this venerable College, and what wishes are formed for Us. Indeed, we rejoice all the more, the more elevated are those sentiments and wishes, which, although directed towards Our person, are a new tribute to the invisible Head of the Church, whom We represent undeservedly, and which, beyond Our person, aim at the good of the universal Church, for which nothing in the world, not even Our own

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blood, could be more dear to Us.

The year that is drawing to a close has been a time of great sorrow for the Church. – Pope Pius X, in whom We, both near and far, saw the aura of the most excellent virtues, and whom We lamented with sincere sorrow, being tragically torn from the Christian family.

[*Latin ed. p. 695*]

The acts of Pope Benedict XV, page 695, mention that, day by day, he presented matters with increasing urgency concerning the continuation of the Apostolic office, a task all the more important as he diligently concealed the remarkable virtues that adorned his chosen soul. Therefore, the image and memory of such a holy Pontiff deepen within us the feeling of our undeserved succession. But we are comforted by the prayers of the Catholic world, to which God, for the benefit of the Church, is wont to lend a benevolent ear; and not a little are we comforted by the filial wishes and greetings that the sacred College, as a relief to the common father, has now expressed to us. Among these wishes, none seems more fitting to the particular character of the Nativity feast, nor more responsive to the need that today presses upon every heart, than that of peace. This wish and this vow, we therefore receive with particular eagerness, spurred on by the mournful events that for nearly five months have cast a pall over the entire world. Alas, it did not please Divine Providence that our pontificate should begin with joyful omens; rather, while it would have been desired to greet it with voices of joy, the arrival of the new Father of the Christian family was, in many regions, instead greeted with the clamor of arms and the din of battle. But from the very beginning of our pontificate, it could not escape us the magnitude of the mission proper to the Vicar of Him who, upon being born, brought peace to the human race; we could not forget that we had come to continue the work of Jesus Christ, Prince of Peace, described in the prophecies as He to whose days the sun of justice would finally dawn and the abundance of peace would arise. Therefore, mindful of our mission, which is more than human, we left no avenue unexplored, publicly and privately, to ensure that the counsel, the will, and the need for peace would be well received. It was also for this purpose that the idea occurred to us to open, amidst these darknesses of martial death, at least a ray, a single ray, of the divine sun of peace, and we thought to propose to the contending nations a brief and definite truce for the Nativity, hoping that, if we could not dispel the dark specter of war, we might at least bring a balm to the wounds that it inflicts. Oh! the dear hope that we conceived of consoling so many mothers and wives with the certainty that, during the few hours consecrated to the memory of the Divine Nativity, their loved ones would not fall under the enemy's lead: oh! the sweet illusion that we had made of giving the world at least a taste of that peaceful tranquility that it has known for so many months! Alas, our Christian initiative was

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not crowned with happy success. But...

[*Latin ed. p. 696*]

696 Acta Apostolicae Sedis - Commentarium Officiale. Discouraged by these things, We intend to continue every effort to hasten the end of this incomparable calamity, or at least to alleviate its sad consequences. It seems to Us that the Divine Spirit speaks to Us, as it did to the Prophet: "Cry, cease not, lift up thy voice like a trumpet, and shew my people their wicked doings, and the house of Jacob their sins," and therefore We have earnestly pleaded, with hopes of a favorable outcome, for the exchange of prisoners who are no longer fit for further military service. "Cry, cease not," and therefore We have desired that priests, not ignorant of their language, be assigned to the poor prisoners of war, who may provide them with the comforts of which they may be in need, and also offer themselves as benevolent intermediaries between them and their families, perhaps distressed and afflicted by lack of news. "Cry, cease not," and therefore We applaud the sacred pastors and individual persons who have determined to promote or increase public and private prayers to soften the violence in the most holy Heart of Jesus, so that He may bring to an end the terrible scourge that now afflicts and troubles so great a part of the world. Oh! May the fratricidal weapons fall to the ground! May these weapons, now too stained with blood, finally fall... and may the hands of those who have had to wield them return to the labors of industry and commerce, return to the works of civilization and peace. Oh! May rulers and peoples, at least today, hear the angelic voice that announces the supernatural gift of the newborn King, "the gift of peace," and may they also, through works of justice, faith, and meekness, show that "good will" which is placed by God as a condition for enjoying peace. We firmly trust, gentlemen Cardinals, that this desire, with which, more than anything else, We wish to correspond to the sentiments expressed to Us, will find favor with the clemency of God; however, We do not wish to omit exhorting those who, in this solemn hour, offer Us so dear a tribute, to insist with the Most High through constant prayers to achieve the fulfillment of Our desire. Furthermore, We add another most desired wish, and this is for You, Most Eminent Dean, and for all the members of the sacred College who, with their beloved presence, now offer Us an image of the immense Catholic family, united in both joyful and sorrowful times, around its Head. Therefore, to You and to the gentlemen Cardinals who share in Our governance, to whom so many anxieties and such diligent zeal are required, We wish a prosperous life and fruitful endeavors. May the Lord grant that the diligence, intelligence, and success of that provident aid by which You and Your Colleagues will comfort Our Pontificate may, as soon as possible, restore the human family to affectionate concord and

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blessed tranquility.

[*Latin ed. p. 697*]

Acts of Pope Benedict XV, page 697, a likeness to that mystical flock which Christ contemplated, when He entrusted its safekeeping to Peter and to us. May this apostolic blessing, which We impart with all our heart to you, Cardinals present, as well as to Bishops, Prelates, and all ecclesiastics and laymen who surround us, be a source of joy and encouragement. (SECTION ON INDULGENCES) DECREE: INDULGENCES ARE GRANTED TO THOSE WHO DEVOUTLY RECITE THE FOLLOWING PRAYER OF OUR LORD JESUS CHRIST. December 3, 1914. Our Most Holy Father, Pope Benedict, of Divine Providence, XV, having graciously granted an audience to the Reverend Fathers, Assessors of the Holy Office, has deigned to decree that all the faithful who piously vow themselves to Jesus Christ, and who also desire to die in His love, may obtain a hundred days' indulgence by reciting the following prayer: "Jesus, to You I live; Jesus, to You I die; Jesus, I am Yours in life and in death. Amen," each time they do so; and those who recite it daily throughout the entire month, if they have confessed their sins and received Holy Communion, and visit any church or public oratory, and there offer prayers according to the mind of the Supreme Pontiff, may obtain a plenary indulgence, also applicable to the deceased, once, and this shall be valid forever, without any further requirement. Notwithstanding any contrary provisions. R. CARD. MERRY DEL VAL, Secretary. L. © S. f Donatus, Archbishop of Ephesus, Assessor.

[*Latin ed. p. 698*]

698 Acta Apostolicae Sedis - Commentary. The Official ACTS of the SACRED CONGREGATION CONSISTORIAL. DECLARATION CONCERNING THE ELECTION OF CHAPTER VICARS IN CERTAIN MEXICAN DIOCESES. Since, in the Republic of Mexico, due to the subversion of public affairs, almost all the local Ordinary Pastors have either been forcibly expelled from their dioceses, or prevented from returning to them, or imprisoned, or have been compelled to feign illness or to flee secretly to neighboring regions, it has happened that some cathedral chapters have considered that a case has arisen for the election of a Chapter Vicar, and indeed, in some dioceses, they have presumptuously dared to elect one, unjustly removing the ordinary power of the Vicar General of the Bishop in every case. Since this cannot be tolerated in any way, the Sacred Congregation Consistorial, by mandate of His Holiness Pope Benedict XV, declares that there is no legitimate reason for proceeding with the election of a Chapter Vicar in the aforementioned circumstances, and that if any such election has been made, it is invalid and of no force; but rather, the authority of the Bishops, which they, either through their Vicar General or through another priest delegated by them, can and must exercise, remains intact and com-

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plete; and this must be duly and in every way recognized and observed by all the faithful, and especially by the canons of the cathedral church. December 6, 1914. †l C. CARD. DE LAT, Bishop of Sabina, Secretary. L. © S. IOANNES B. ROSA, Substitute.

[*Latin ed. p. 699*]

The Sacred Congregation Consistorial, 699 II. Circular Letters to the Most Reverend Ordinary Bishops of the Dioceses of Italy, Concerning the Spiritual Care of Emigrants.

The sorrow and concern regarding the terrible scourge of the present war, which, like an immense calamity, weighs upon so much of the world, have not distracted the attention of the Holy See from the situation of Italian emigration, to whose improvement, both in the spiritual order and in that of charitable assistance, the Most Holy Pope Pius X had already devoted his paternal solicitude through various measures, especially through the Motu Proprio *Iam pridem*, dated March 19th of the current year. With this document, received with such favor by the clergy and Catholics not only of Italy, but also of the countries where Italian emigration is most abundant, the Supreme Pontiff, after recognizing the merits of the religious families and various institutions established in Italy and abroad for the spiritual care and protection of emigrants, announced the foundation of a College for the preparation of priests who intend to dedicate themselves to their assistance, stipulating that the sums collected through the customary collections made by the Ordinaries of Italy in favor of the emigrants, should be sent to the special section established within the Sacred Congregation Consistorial, so that they might be allocated to the benefit of this College and the aforementioned institutions.

However, up to now, due to the painful events that have occurred in recent times, the offerings received by the Office of the Sacred Congregation Consistorial are far from corresponding to the hopes placed in the generosity of the faithful, aware of the importance and gravity of the problems connected with Italian emigration. This emigration, far from diminishing, can only increase when, if it pleases God, this war ends, which closes the avenues of Europe to the exodus of working masses, and when the economic crises cease, which affect the two Americas, where over four million Italian citizens reside.

These considerations have moved the heart of the Holy Father Benedict XV, who, in accordance with the dispositions given by his Predecessor regarding the assistance of emigrants, desires to see the College of priests aspiring to their spiritual care opened as soon as possible, with firm confidence that the charity of the faithful, encouraged by the zeal of the Bishops

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and the clergy of all the dioceses of Italy, will provide.

[*Latin ed. p. 700*]

700 Acta Apostolicae Sedis - The Official Commentary will provide it with the means not only to maintain said College, but also to assist the principal Catholic institutions that aim to protect the emigrant. Indeed, its glorious predecessor granted the seminaries of Rome and Pius the use of a new building, erected within the Lateran enclosure near the Basilica of the Most Holy Savior, and therefore the old building within the city became vacant. Consequently, in accordance with the wishes of the deceased Pontiff, it has ordered, through its august decree, that the seat of said College for emigrants be established therein, after the necessary renovations. Therefore, to meet the needs of this College and the numerous institutions that have set themselves the goal of assisting Italian emigrants abroad, both in Europe and beyond the Ocean, and to care for their religious and moral well-being amidst the immense dangers in which they find themselves, this Holy Congregation, in execution of the orders of the Supreme Pontiff: 1. Invites the Most Reverend Ordinaries of Italy to consider holding, in all the parishes of their respective dioceses, an annual collection for the works of assistance to Italian emigrants; fixing for this purpose a feast day that is considered most suitable for the purpose, and which should be permanent. The Most Reverend Ordinaries, especially those of the smaller and neighboring dioceses, will consider whether it would be advisable to consult with each other beforehand to establish a common day. In any case, they will endeavor to inform the parish priests, and through them the faithful, of the great need for the spiritual assistance of their brothers who have emigrated to distant lands, of a different language, of different customs, often lacking adequate religious assistance, among non-Catholic populations, exposed to the seduction that the spirit of darkness accumulates through books, newspapers, people, and things, especially to the detriment of simple and inexperienced individuals. The amount of the sums collected must be promptly sent to the Holy Congregation. 2. The same Most Reverend Ordinaries are requested to transmit to the Emigration Section of this Holy Congregation the names of priests who are willing to exercise the sacred ministry among their fellow countrymen who have emigrated, adding notes of piety and scholarship that demonstrate their suitability for such a mission. 3. Furthermore, since the governing council of the Society of Missionaries of Emigration of Saint Anthony of Padua, of which Monsignor Coccolo is currently the director, and whose specific purpose is to assist emigrants in crossing the sea, has requested to retain the privilege of collecting offerings on its behalf, in accordance with the

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circular...

[*Latin ed. p. 701*]

701 The Most Holy Congregation Consistorial, through the Secretary of State, on January 25, 1908, declares that the Reverend Ordinaries may transmit to said Council the special offerings destined for that work, while the offerings mentioned in item I, remain for the benefit of all other works. The great interest with which the Italian Episcopate has always followed the development of the emigration phenomenon is a sure sign of the favor with which they will receive and make effective this appeal addressed to the faithful of Italy in the name of the Holy Father, who, with heartfelt affection, imparts the apostolic blessing to all who respond to it. Rome, December 6, 1914.

(Signed) G. CARD. DB LAI, Bishop of Sabina, Secretary.

PROVISIONS FOR CHURCHES

By subsequent decrees of the Most Holy Congregation Consistorial, His Holiness, Pope Benedict XV, has provided for the following churches, namely:

October 29, 1914. — To the Cathedral Church of Salta in the Republic of Argentina, he appointed the Reverend Father Joseph Gregory Romero, formerly titular Bishop of Thermae Basilicae and vicarious general of the Diocese of Salta.

October 31. — To the Cathedral Church of Coimbra, he appointed the Reverend Emmanuel Aloysius Coelho da Silva, Dean of the Cathedral Church of Oporto.

November 7. — To the titular episcopal Church of Jonopoli, he appointed the Reverend Father Joseph John Fox, formerly Bishop of Green Bay.

November 16. — To the titular archiepiscopal Church of Hierapolis, he appointed the Reverend Father Angel Mary Dolci, formerly Archbishop of Amalfi.

December 4. — To the Cathedral Church of Cajazeiras in Brazil, he appointed the Reverend Moses Coelho, Canon of Paraíba.

December 5. — To the Cathedral Church of Caiace or Calatin, he appointed the Reverend Aloysius Erniini, formerly titular Bishop of Hamatha and Auxiliary Bishop of Oporto and Saint Rufina.

December 5. — To the titular archiepiscopal Church of Colossae, he appointed the Reverend Father John Mary Zonghi, President of the Noble Ecclesiastical Academy in Rome.

[*Latin ed. p. 702*]

702 Acta Apostolicae Sedis - Official Commentary, December 5, 1914.

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— To the titular bishop of the church of Abila, the Reverend Dionysius Nyaradi, administrator apostolic of the diocese of Križevci for Ruthenians. December 10. — To the titular bishop of the church of Thapsa, the Reverend Father Valentinus Garcia et Barros, already bishop of Palencia. December 10. — To the titular bishop of the church of Thennesa, the Reverend Charles Echenique, canon of the cathedral church of Cordoba in America, whom he appointed as Auxiliary Bishop of Tucumán. December 19. — To the cathedral church of Bergamo, the Reverend Father Aloysius Maria Marelli, formerly bishop of Bobbio. December 19. — To the cathedral church of Cremona, the Reverend Father Ioannes Cazzani, formerly bishop of Cesena. December 21. — To the cathedral church of Bobbio, the Reverend Peter Calchi Novati, parish priest of the place commonly called Saronno in the diocese of Milan. December 21. — To the cathedral church of Bisarcio, the Reverend Peter Benedetti, general procurator of the missionaries of the Most Sacred Heart of Jesus. December 22. — To the cathedral church of Derthona, the Reverend Simon Peter Grassi, parish priest of the place commonly called Verdello in the diocese of Bergamo. To the cathedral churches of Ampurias and Templa, the Reverend Ioannes Maria Sanna, provincial of the Conventual Minor Order in Sardinia. DIOCESES. RESTORATION OF DAMAGED RECORDS, March 14, 1914. In the year 1901, in the city X, when news had already been received of the good character of a certain Alexius, a public official, whose services the Cathedral Chapter also utilized, it was discovered, through proper investigations conducted by the chapter, that certain documents, or credit notes, pertaining to the Chapter, had been taken from the chest in which they were kept, by him, to a total nominal amount of 30,000 livres. Many of the canons considered it necessary to seek restitution for this matter from the canon James, who was also the rector of the Seminary. For it was he, as he confessed, who had, long ago, in the year 1897, delivered these documents to Alexius, with the approval of the Bishop, so that he might exchange them, as he had been ordered by the law of conversion, for new titles; and Alexius had not, until then, returned them.

[*Latin ed. p. 703*]

The Holy Congregation of the Council had received 703 promissory notes, representing the amounts due, but it was unable to recover the original documents. A lengthy and serious dispute arose in the Chapter regarding this loss; meanwhile, Canon James, diligently pressing the matter with Alexius, managed to recover approximately 11,000 livres. However, he was unable to recover the remaining 19,000 livres.

Since the question arose as to whether Canon James – to whom the promissory notes had been entrusted, being the rector of the Seminary – was responsible for restoring the remaining amount, the situation became increasingly strained among the canons, and some threatened to bring

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the matter before the civil courts. Therefore, at the urging of the Bishop, Canon James contributed an equal amount to the loss from his own assets to the Chapter's treasury in 1903.

Upon receiving this sum, the Chapter was entirely satisfied, and indeed, it did not hesitate to derive benefits from it, even though James continued to insist – albeit in vain – that he should be declared not liable. Consequently, in 1907, James, who was already advanced in years and also wishing to consider the interests of his family, requested that the Chapter demand the aforementioned sum of 19,000 livres, which he claimed he had deposited in the Chapter's treasury as a deposit, until a determination was made regarding his own culpability.

Therefore, a dispute again arose in the Chapter, with some arguing that James should be declared innocent, while others insisted that he should refund the money lost, and therefore the Chapter should acquire the aforementioned sum as restitution. Since this dispute could not be resolved, it was brought before this Holy Congregation of the Council, so that it might judge who was at fault and to whom the loss should be refunded. To this end, the Bishop also described the circumstances of the case in his letter:

Around the year 1871, all financial documents pertaining to the Chapter were kept in a chest in the Seminary, where the diocesan offices were also located. The custody of these documents was entrusted to three canons, including James; but when, in 1891, the other two canons entrusted with the custody had already passed away, no one was appointed to replace them; therefore, from that year onward, the management of the money was entirely at James's discretion. He relied on Alexius for this matter, and Alexius, in whom not only James but also the Bishop and many other prudent men placed great trust, acted to such an extent that Alexius often opened and closed the chest alone, in order to carry out the tasks that James had assigned to him regarding the money.

Similarly, when the need arose to exchange the promissory notes, Alexius also withdrew, without anyone present, public securities worth 30,000 livres, as mentioned above, from the chest, and at the same time, he withdrew other securities worth 80,000 livres belonging to the Seminary's assets; and neither James nor any of the other canons took any action regarding Alexius.

[*Latin ed. p. 704*]

704 Acts of the Apostolic See - Official Commentary: To ensure greater certainty regarding the faithful transmission and receipt of funds, by the Chapter or Seminary, a record should be kept. However, while the Bishop was explaining this, many spoke in favor of Canon James, not only stating that he generally demonstrated prudence in managing the affairs of the Seminary and the diocese; but, more directly concerning the matter at hand, they represented the losses incurred by the Chapter and the Seminary as

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not irreparable.

First, concerning the nominal sum of 80,000 livres withdrawn from the Seminary, in addition to the fact that, as James asserted and the Bishop confirmed, "these funds had been largely accumulated through the care and industry of James, and were to be considered as 'savings,' so that even now, without their income, it would still be possible to meet the needs of both the students and the professors," it was stated that Alexius had already returned twelve thousand livres, and for the remaining sum, he had pledged a certain electrical appliance to the Seminary, which had been withdrawn from the assets. Therefore, at that time, no question was raised regarding this money pertaining to the Seminary.

Regarding the sum of 19,000 livres withdrawn by the Chapter, it was not said to be a loss that could not be borne, because this sum only represented the income of the Chapter, accumulated through industry and thrift from a certain capital sum, which capital sum remained intact.

Having considered these matters, the Sacred Congregation decided on March 2, 1907, to write: "After careful consideration, the primary responsibility for refunding the stolen funds should fall upon the Dean (for it was James who held that office at the time), and secondarily upon the Cathedral Chapter."

Upon receiving this decree, Canon James, who had meanwhile resigned from his position as capitular vicar after the death of the Bishop, humbly implored the Most Holy Congregation for "special grace," both for the Dean and for "the other members of the Chapter," so that, with the debt forgiven, he might be allowed to receive the sum of nineteen thousand livres deposited in the Chapter's treasury.

However, the Sacred Congregation deemed it necessary to await the arrival of a new Bishop, from whom it would obtain appropriate information in due course.

After receiving this information, which did not alter the state of affairs, and after considering the matter in the plenary sessions of the Most Reverend Fathers, held on June 11, 1910, regarding the question: "Should the damages incurred by the Chapter be compensated in this case, and if so, by whom?" the Congregation decided to respond: "Considering all the circumstances, Canon James should be admitted to a settlement, paying half of the sum withdrawn."

Shortly before this resolution was issued, Canon James had passed away; therefore, in his name as well, his nephew, Canon Aurelian, negotiated the execution of the sentence with the Chapter. The matter, however...

[*Latin ed. p. 705*]

The Holy Congregation of the Council did not proceed peacefully; for the bishop, guided by this reasoning, that the Holy Congregation had

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deemed the entire sum to be the fault of one James, and that a remission had been granted out of mercy, so that it would not prejudice a third party, namely the Chapter, insisted on the strictest interpretation of the sentence, and decreed accordingly: that the canon James should pay to the Chapter, in the first place, half of the sum taken, namely 15,000 pounds (for the sum of 30,000 pounds had been taken), without any consideration of the 11,000 pounds that had been recovered; and furthermore, all the interest on the sum of 30,000 pounds up to the date of the sentence of the Holy Congregation, as well as the interest on the 15,000 pounds from that date up to the date of execution, which was September 9, 1912; so that of the 19,000 pounds sum delivered by the deceased canon James to the Chapter, only about 600 pounds would be returned to the heirs. Against this decree of execution, the canon Aurelian, nephew and heir of James, appealed to the Holy Congregation, requesting that the meaning of the words "sum taken" be declared, and that it be determined whether and which interests were to be included in the calculation. However, in the course of this dispute, when the new bishop ordered a review of the entire administration of the deceased canon James, especially concerning the Seminary under his care, it was discovered that not everything that James had previously reported corresponded to the truth, which had been intended to conceal a much more serious loss that had been inflicted upon the Seminary, namely, the withdrawal, as mentioned, of 80,000 pounds in public credit notes, together with 30,000 pounds belonging to the Chapter, perpetrated by the administrator Alexis. Indeed, this enormous sum had "not been accumulated through James' industry," but rather, it had been recorded in its entirety and in its full amount in the economic records even before he took over the administration of the Seminary; nor did the mortgage inscription on Alexis' electric workshop alleviate this burden, since the property itself was entirely in dispute, and the workshop had already been transferred to him, and was considered to be of only very small value; furthermore, while the Chapter had at least partially received the interest on the withdrawn notes, the Seminary had been deprived of all interest from the year 1898, and therefore, the loss of approximately 30,000 pounds in lost interest must also be added to the losses. Therefore, the new bishop strongly insisted that the old question of the culpability of canon James be re-examined, and that, once it was fully established, the entire inheritance of James be awarded to the Seminary; indeed, this inheritance, which the nephews had only obtained with the benefit of an inventory, yielded a much smaller liquid sum than that which would have to be deducted to cover the losses of the Seminary. To this end, the bishop also pointed out that his predecessor had, by his will, appointed the aforementioned canon James as his heir, who had delivered approximately 20,000 pounds from this inheritance. However, concerning the damage to

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the Semi-

[*Latin ed. p. 706*]

706 Acta Apostolicae Sedis - Official Commentary: It is clear that the predecessor should have answered the national inquiry, but it is evident that he could not have donated, either through acts during his lifetime, or even after his death, what was owed to the Seminary, and therefore, it was not his to give. Therefore, the entire inheritance appeared to be due to the canon Iacobus by a double title, both from the person of Iacobus and from the person of the deceased Bishop. The matter was therefore reconsidered in the Sacred Congregation of the Council. On the one hand, it was pointed out that Iacobus had manifestly failed in the diligence of a good family head in the administration of both the Chapter's and the Seminary's assets, and that this lack of diligence had caused all the losses; and that his fault was even increased by newly presented evidence showing that from the year 1897 to the year 1901, Iacobus had moved every stone to conceal the damages from the Chapter, and therefore, he could not, as far as he was able, help the situation. On the other hand, it was argued that not only was the loss that the Chapter complained of significant, but also the damage, and indeed a much greater one, that the Seminary had suffered, for which the Chapter was also to blame. According to the law of Trent (Sess. XXIII, cap. 18 de Ref.), the Chapter was obliged to elect two delegates, in the presence of whom the accounts of the Seminary's revenues were to be received each year, which, if it had been carried out with even a small amount of diligence, the administrator Alexius certainly could not have inflicted such serious damage on the Seminary. However, as appears from the foregoing, the Chapter had been very negligent in electing such delegates from the year 1891, and therefore, it had rendered itself gravely culpable in this matter. Nothing to the contrary was asserted, since it is not a correct principle, upon which the new Bishop was to rely as a foundation in executing, or interpreting, the decision of the Sacred Congregation: namely, that the Sacred Congregation, when deciding to admit the canon Iacobus to a settlement, thereby considered the entire sum lost by Iacobus to be his fault "because a settlement only takes place when the obligation of restitution is certain." Indeed, the Church never admits to a settlement, unless either the matter is doubtful, or at least there is a reasonable cause, as is clear from the Constitution of Innocentius XII, which is cited and explained by Benedictus XIV, De Syn. Dioec, lib. XIII, cap. ult., n. 15; in cases similar to ours, when a third party's right (the Chapter's) intervenes, a settlement is a kind of transaction that does not take place unless the matter is doubtful: it is usually defined as "a contract by which a dispute of private law is settled, by some mutual giving, or retention, or promise" (Cardinal D'Annibale, Summula, vol. II, n. 585, d. II). In the present case, however, the Sacred Congregation had already

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explicitly declared that the debt for the theft committed should also be refunded to the Cathedral Chapter as a secondary culprit.

[*Latin ed. p. 707*]

The Holy Congregation, in document 707, stated that the aforementioned parties had not been able to recover anything: firstly, because, after the Holy Congregation, by decree of June 11, 1910, had ordered that Canon James be admitted to the settlement, having paid half of the *summa*, and having made no mention of any fruits or revenues, it was to be understood that the aforementioned Holy Congregation did not intend to obligate the aforementioned Canon, even for the fruits or revenues. Secondly, because the *summa* of nineteen thousand livres, which Canon James had supposedly not delivered or deposited in the treasury of the Chapter, as the Chapter claimed, but only as a pledge. Indeed, the Canon, in order to quiet the clamor and to avoid the scandals that threatened the Chapter, declared himself ready to repair the damages, if and as required by law; and, to demonstrate the sincerity and promptness of his intentions, he offered a guarantee for any future event, delivering as a pledge the largest sum to which he could be held or obligated, that is, the sum equal to the amount paid; but he immediately began to act in such a way as to declare himself to be under no obligation. Furthermore, from the *summa* received as a pledge, only the favor of the Chapter's legal precedence, or privilege, followed, by which, before all other creditors, the Chapter would be satisfied from that sum; but not beyond that to which the aforementioned Canon James was obligated by the judgment of the Holy Congregation, namely, not beyond the sum of nine thousand five hundred livres, which represents half of the amount lost or taken away from the Chapter (19,000 livres). Moreover, after a case was proposed in a plenary session on March 14, 1914, regarding the questions: I. Whether and how the executive decree given by the Bishop in the case could be upheld; II. Whether and what portion of the inheritance of James should be assigned to the Seminary in the case, the Most Reverend Fathers responded: Regarding I and II, the opinion is: "Considering that the Chapter itself is not free from fault in the damage caused to the Seminary, nothing other than the sum of nine thousand five hundred livres, without fruits or revenues, is due to it. The rest remaining from the inheritance of Canon James must be assigned to the Seminary. However, the Ordinary is granted the power to settle the matter as he deems most expedient in the Lord, regarding the fruits already received by the Chapter from the *summa* of nineteen thousand livres delivered by Canon James as a pledge, and regarding the obligations of the heirs of the aforementioned

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Canon." O. GIORGI, Secretary.

[*Latin ed. p. 708*]

708 Acta Apostolicae Sedis - Official Commentary

SACRED CONGREGATION FOR RITES

ROME

PARISHES OF THE CITY ARE GRANTED PRIVILEGES

That the distinguished assembly of parishes of the City and its district may be distinguished from other inferior colleges of a similar rank, and from other ecclesiastical rectors or superiors who do not have the care of souls, by some external and more honorable sign, also because of the various duties of the sacred ministry, which are sufficiently arduous, with the multiple example of the faithful and the spiritual good piously and properly performed and to be performed, the most holy Pope Benedict XV, at the auspicious beginning of his Roman pontificate, decided to show a special pledge and testimony of his paternal benevolence and pastoral concern to the priests who are dear to him, who are guardians of souls among his chosen sons, by a singular benefit of God, residing in Rome and closer to the most blessed Chair of Peter and the holy Apostolic See. Therefore, with his benevolence, He deigned to adorn this assembly of parishes with a special sign and privilege of honor and dignity, so that all and each parish priest, for the time being, of both secular and regular clergy, may wear the rochet and use the maniple in the sacred functions within the boundaries of their own parish, in any churches and chapels, but never in patriarchal basilicas or in filial churches, in the presence of the patriarchal chapter of the mother basilica; all other rubrics and decrees being observed. Furthermore, the same most holy Pope decided and ordered that a decree be issued regarding the aforementioned double insignia and privilege, which shall be valid forever without any Apostolic brief. Contrary provisions, even those worthy of special mention, notwithstanding.

November 11, 1914.

SCIPIONE CARD. TECCHI, S. B. G.

Pro-Prefect.

*S. f.

Petrus La Fontaine, Bishop of Charystien, Secretary.

[*Latin ed. p. 709*]

The Holy Congregation of Rites, number 709, second session, of SÃ©ez. DOUBTS: The present Bishop of SÃ©ez humbly requested a solution to the

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following doubts from the Sacred Congregation of Rites:

I. Whether, when the feast of a Double of the First Class occurs, the office of some Supreme Pontiff or Doctor of the Church is permanently, or even accidentally, simplified, so that only mention is made of him in the praises, and antiphons more appropriate for the Second Vespers should be used for this commemoration, such as "O Doctor," or rather, the more common antiphon "Buge, serve bone?"

II. Whether the commemoration of All the Holy Apostles in the office of the Holy Apostles Peter and Paul (June 29th), and the commemoration of All the Holy Martyrs in the office of Saint Stephen the Protomartyr (December 26th), should be omitted, when in the new proper calendar of the diocese of SÃ©ez, no mention is made of these commemorations?

III. Whether, in the Office of the anticipated Sunday, the chapters and responsories of the Sunday itself should be used for the lesser hours?

IV. Whether all the initial readings of the Epistles of Saint Paul must be recited annually, even when they are entirely omitted before the Seventieth Day, and on the fourth, fifth, and sixth Sundays after Epiphany?

V. Whether, in a weekday Mass celebrated before the Most Holy Sacrament, the Prayer of the Faithful must be omitted, even when it is prescribed by the rubric for the second day of the week, or on the first free day of the month?

VI. Whether, on the feast of All the Holy Bishops and other Saints of the diocese of SÃ©ez, the color of the sacred vestments should be white, or rather, purple, because some of these Saints are Martyrs?

VII. Whether it is permissible to use the new common offices of many confessors, both pontiffs and non-pontiffs, and of many virgins, both blessed and unblessed, not only on particular feasts, but also on feasts of the universal Church, namely, the feasts of Saints Cyril and Methodius, of the Seven Founders of the Order of Servants of the B.V.M., and of Saints Perpetua and Felicitas?

And the Sacred Congregation itself, after hearing the opinion of a special commission, considered that the proposed doubts should be answered as follows:

To I. Negatively to the first part; affirmatively to the second, according to the typical edition of the Roman Breviary.

[*Latin ed. p. 710*]

710 Acta Apostolicae Sedis - Official Commentary Regarding II. According to the approved Calendar. Regarding III. Concerning what is provided in the most recent rubrics of the Roman Breviary. Regarding IV. Negatively, according to the rubrics. Regarding V. Negatively. Regarding VI. In this case, custom should be observed. Regarding VII. Negatively, even considering the decrees of May 22nd and August 7th, 1914, regarding III. And

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thus, it was written. On December 11th, 1914. SCIPIO CARD. TECCHI, Pro-Prefect. L. œ S. f Petrus La Fontaine, Bishop of Charyste, Secretary. SACRED CONGREGATION FOR EXTRAORDINARY ECCLESIASTICAL AFFAIRS CONCERNING THE CARE TO BE GIVEN BY THE CLERGY TO PRISONERS. Following an audience with His Holiness, on December 21st, 1914, His Most Holy Lordship, Pope Benedict XV, deeply grieved by the immense suffering and anguish inflicted upon countless individuals captured in this terrible war, and concerned for the anxieties of their families, who are therefore burdened because they are long and deeply deprived of news of their loved ones, considered how He might offer solace and assistance to both, as far as possible. Therefore, referring to the following written by the Secretary of the Sacred Congregation for Extraordinary Ecclesiastical Affairs, He decreed, hoping that bishops and clergy will diligently and piously carry out these mandates, and that the leaders of nations will also, with all their strength, support this undertaking, which is worthy of humanity and Christian charity. I. Ordinary dioceses where prisoners are located should, as soon as possible, select priests to care for the prisoners, one or more, as necessary, who are sufficiently knowledgeable in their language; and if they have none within their own dioceses, they will borrow them from other Ordinary dioceses. These, in turn, will gladly provide suitable individuals.

[*Latin ed. p. 711*]

I. The Holy Congregation for Extraordinary Ecclesiastical Affairs decrees that priests chosen for this task shall not neglect anything that pertains to the benefit of the captives, both of soul, and of body and life: they shall console them, attend to them, and relieve them of various necessities – and sometimes of the most grievous ones.

II. They shall especially inquire and ascertain whether the captives have informed their families of their situation, either by letter or by some other means. If they deny having done so, they shall urge them to at least immediately send open paper sheets (commonly called postcards, Postkarten, Post cards, Poctowyja kartocki [LTo^TOBbia Kapmo^KH;]) in which they may inform their loved ones of their own health.

III. However, if the captives are prevented from such correspondence by lack of writing ability, or by illness or injury, or by any other cause, then the priests themselves, chosen by them, and acting in their name, moved by charity, shall write on their behalf, and shall diligently strive to ensure that the letters safely reach their intended recipients.

Given at Rome, from the Secretariat of the same Holy Congregation, on the aforementioned day, month, and year.

Eugenius Pacelli, Secretary.

This Decree was transmitted to certain Eminent and Most Reverend

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Archbishops of various nations by the Eminent and Most Reverend Lord Cardinal of the Sacred Congregation for Affairs of the Holy See, and was accompanied by the following letter:

"Your Eminenza Reverendissima,

The August Pontiff Benedict XV, deeply saddened by the evils that the present, immense war brings everywhere, has graciously deigned to once again direct his benevolent and affectionate attention to the prisoners of war; and, in his paternal charity, in order to provide in some way for their spiritual and physical well-being, he issued yesterday, through the Sacred Congregation for Extraordinary Ecclesiastical Affairs, a Decree, of which I am taking the liberty of sending to Your Eminenza Reverendissima several copies.

Your Eminenza, in accordance with the desire of the Holy Father, please be so kind as to send a copy of this Decree to all and each of the Bishops of this Nation, who have prisoners of war within the territory of their jurisdiction, so that they may diligently ensure the faithful execution of the same."

[*Latin ed. p. 712*]

712 Acta Apostolicae Sedis - Official Commentary: It is superfluous to add that, when the Decree speaks of prisoners, His Holiness intends that no distinction be made, neither of religion, nor of nation, nor of language; but, if Your Eminence deems it opportune, please, when transmitting it, declare to the individual Bishops the intention of the Holy Father, so that the beneficial action of the priests indicated in the Decree may embrace all unfortunate prisoners with the same extent of the charity of Jesus Christ. Kissing Your Eminence's hands most humbly, I proceed to reaffirm with sentiments of profound veneration. From the Vatican, December 22, 1914. Your humble and devoted servant, P. CARD. GASPARRI.

DECREE CONCERNING CHAPLAINS OF THE MILITARY, REGARDING THE FACULTY TO HEAR THE CONFESSIONS OF THE FAITHFUL DURING WAR.

The Sacred Penitentiary, desiring to provide for the salvation of souls, with special and express Apostolic authority, benignly decrees the following, with the most holy approval of our Lord Pope Benedict XV:

"Chaplains of the military, while accompanying the army, can, during war, hear the sacramental confessions of any faithful who approach them, and can use all the faculties granted to them for the purpose of absolution. The aforementioned chaplains of the military also possess the same power when, by chance, detained in captivity, for the benefit of all who are captive with them. Contrary provisions notwithstanding."

Given at Rome, in the Sacred Penitentiary, on December 18, 1914.

SERAPHINUS CARD. VANNUTELLI, Major Penitentiary.

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Iosephus Palica, S. P. Secretarius.

[*Latin ed. p. 713*]

The Sacred Roman Rota, 713.

SACRED ROMAN ROTA OF VERULANA, CONCERNING JURISDICTION.

Regarding an incidental question, under the felicitous reign of Pope Pius X, in the eleventh year of his pontificate, on the 8th of July, 1914, the Most Reverend Fathers and Doctors L. Mori, Ponens, F. Cattani, and A. Perathoner, in the case of Verulana – Jurisdiction, regarding an incidental question, between the parish priest of Saint Leucius in the city of Verulana, Joseph Quattrociocchi, the plaintiff, represented by his lawful procurator ex officio, the advocate Anthony Melevirdis, and the brothers Vincent and Alphonsus Gaperna, who are appealing from an interlocutory judgment of the court, having refused to appoint a procurator, rendered the following judgment.

In the parish church of Saint Leucius in the city of Verulana, there exists an ancient chapel dedicated to the Blessed Virgin Mary, called "Refugio": this chapel, in addition to the offerings of the faithful, was endowed with two censuses; one, in the year 1854, by a certain pious woman, Vincentia Giovannetti; the other, by a pious man, Dominic Viglianti. These two censuses, as appears from the records of their constitutions, were to be paid to the abbot-parish priest for the time being of the aforementioned church of Saint Leucius: concerning the first, it is stated there: "Vincentia Giovannetti, imposed a census of 208 scudi and 6 bajocchi, on 'a house in favor of the chapel of the Most Holy Madonna of Refugio, located in the church of Saint Leucius in Veroli... and she obligated herself, and her heirs, to pay here in Veroli, annually, a census of 16 scudi and 64 bajocchi, in the hands of the aforementioned Francesco Palma, her husband, during and after his life, to the abbot for the time being of the church of Saint Leucius." Similarly, concerning the second census, it is stated that in the year 1864, on the 7th of July, Dominic Viglianti established "an annual census of three Roman scudi, equal to 16 lire and 12 centesimi," stipulating "that said annual census must be paid and delivered here in Veroli, in the hands of the abbot for the time being of the church that receives the census."

The abbots-parish priests of Saint Leucius have obtained the administration of the chapel and the key, and have received the aforementioned fruits. On the 6th of July, 1908,

[*Latin ed. p. 714*]

714 Acta Apostolicae Sedis - Official Commentary: On the day of his

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death, the pastor of that parish, Leonidas Mizzoni, passed away. Upon the death of the pastor, the key to the chapel was given to the priest Vincent Caperna. However, he refused to return the key to the successor pastor, John Tarquini, claiming that it belonged to him as the patron and co-heir of his uncle, Francis Mizzoni, who had previously administered that parish. Despite the ongoing opposition and all attempts by the new pastor, Tarquini, to obtain the return of the key proving futile, on January 24, 1911, he brought the priest Caperna before the episcopal court, requesting that it be declared "unfounded and without merit the right of patronage that Caperna claims over the chapel, and therefore to restore the pastor of 'S. Leucio' to all his rights over the same." Meanwhile, during the ongoing trial, when Caperna requested to be absolved from the action, because he had already transferred the key to the chapel and all rights pertaining to it to his brother, Alphonsus, as the majority co-heir of his uncle, Francis Mizzoni, the plaintiff, Tarquini, again presented a new petition before the judge, requesting that Vincent Caperna, as the one who had usurped possession, to the detriment of the vacant parish, be compelled to appear in court for the usurpation of the chapel key, and be condemned to return the key to the plaintiff. The judge, having heard the defendant, Caperna, regarding the new petition of the plaintiff on April 7, 1911, issued an interlocutory judgment, the dispositive part of which is as follows: "We obligate the Very Reverend Abbot D. Vincent Caperna, the defendant, to appear in court and remain until the final judgment in this case, independently of any right of patronage or other that may be claimed by anyone, to answer primarily for the act committed by him, and not by others, in taking, without due process, the key to the chapel in question during the vacancy of the parish, and to present all reasons or documents that he believes may be favorable to him within a period of 17 days." Against this broad judgment, an appeal was filed by the priest Vincent Caperna and his brother, Alphonsus; the latter intervening in the case. In the meantime, on April 23 of the same year, the plaintiff, Tarquini, entered into canonical possession of the Cathedral of Verula, and the prosecution of the case remained suspended until the arrival of the new pastor, a suspension or delay that, with the prior consent of the promoter of justice, was decreed by a decree of June 23, 1911. The court appointed a new pastor, Joseph Quattrociocchi, who, in order to pursue the case, first requested gratuitous assistance, which was kindly granted to him, despite the opposition of one of the appellants.

[*Latin ed. p. 715*]

The Roman Rota, number 715, namely Alphonsus Gaperna. Hence, the brothers Caperna are cited to resolve the doubts. However, since these individuals refused to appear before the Holy Sacred Tribunal, and their contumacy was declared by a duly issued decree, at the instance of the appointed defender, acting ex officio for the plaintiff Joseph Quattrociocchi,

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the following questions are to be examined: I. Can the priests Vincent and Alphonsus Gaperna be compelled to appear in court? II. Should the parish priest of St. Lucius be restored to possession of the keys of the chapel of the Blessed Virgin Mary at Refugio, which were taken by Vincent Gaperna and are now being held by his brother Alphonso in this case? In law: An action for dispossession in the courts is odious; hence the rule: "The one who has been dispossessed must first of all be restored, and it does not benefit the dispossessor unless he proves his ownership." "Therefore," says Reiffenstuel, *Jus. Can., lib. 5, title 13, no. 48, "it is true that the one who has been dispossessed must first of all be restored, so that the exception of ownership does not regularly apply, chapter 1 and 5, heading 1. And therefore, the dispossessor cannot be heard before the restitution of the dispossession has been made, even if he claims ownership of the thing taken from him, and offers to prove it immediately; unless the plaintiff, or the one who has been dispossessed, consents to this. But if the plaintiff does not consent, the restitution of the dispossession must regularly be made first, so that the cause of ownership remains completely intact, and the dispossessor may freely enter the court of petition regarding the ownership of the thing." In Roman law, an action for dispossession against the dispossessor was introduced by the praetor through an interdict, and it was a personal remedy and was granted only against the dispossessor. However, as tradition holds, according to Santi, *Praelect. iur. can., in the cited title 13, no. 3, it has been extended to a third possessor: "Our law readily accepted this disposition of civil law, and expanded it with two other remedies, about which we speak in chapter 18, 1st part, and in canon 3, council 9, question c. In chapter 18, the most wise Pope Innocent III grants to the one who has been dispossessed an action, which is called the action for dispossession, against anyone who is a third party, the possessor of the thing, who occupies the thing through dispossession, knowing its origin, receives it, and holds it...". The second remedy is from canon 3, council 9, which is called by jurists the remedy for restitution. This remedy, granted by canon law to bishops or to those who have been dispossessed or ejected by force, has been extended by a certain interpretation to all clerics who have lost either their own property or the property of the Church, against anyone, even a third possessor, whether he possesses it in good faith or in bad faith, or whether the thing has come to him through...

[*Latin ed. p. 716*]

716 Acta Apostolicae Sedis - The Official Commentary comes with or without a title. "This remedy, however, according to canon law, as Reiffenst. teaches, book 1, chapter 10, number 10, is perpetual, both for obtaining and for acting regarding damages caused, even if nothing accrues to the wrongdoer, as is clearly inferred from the cited canon on restitution and throughout the writings of the Doctors." In fact. - With these premises,

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the Fathers of the Lord observed first that the priest Vincent of Gaperna must be held to stand in the judgment, because he, the appellant, having assumed the position of the plaintiff from the interlocutory judgment, is now, according to Argello in *De contradictore legitimo*, question 3, article 1, number 29, "In judgments *quasi contrahitur*, or the argument from contract is valid for *quasi contractus*, 1, if concerning minors, § if anyone is in that situation, from the treatises on the management of affairs, and 1, at the end of Julian, with 1 following, from the offices concerning causes in possession, and 1, the praetor in the beginning, joined to §, not only, from the treatises on minors. But the citing of a judgment *quasi contrahendo* approves the cited one as a legitimate opponent; therefore, he cannot later deny him as an opponent based on *quasi contractus*, 1, as the Codex states, regarding actions and obligations." What is true for Vincent of Gaperna, the same applies to his brother Alphonsus, who joined Vincent by signing the appeal and intervening in the case. Nor can Vincent be aided by the subsequent cession or transfer of the key to his brother Alphonsus, because fraud and deceit owe no protection to anyone, and because the cession made in writing shortly before the beginning of the lawsuit, as the same Vincent contends, cannot be said to refer to a certain date, because this is not apparent from a public official's recognition or from its being recorded in public documents, and therefore must be given no weight. Furthermore, the Fathers of the Lord could not admit the posthumous exception promoted by Alphonsus in a letter of May 18, 1911, because he himself affixed his signature to the appeal only in a declarative manner, "The seal affixed to the appeal to the Rota has only a declarative value, since it was placed solely for confirmation of what is stated regarding me," because, from the tenor of the appeal, the complaint does not only concern Vincent, but also Alphonsus; therefore, the signature affixed by him on the appeal is considered to have entered the judgment. However, having established this, the Fathers further observed that, in the case described above, Alphonsus, even though a third possessor, as the holder of the key to the chapel, can also be summoned by the judge; therefore, they rejected the exception raised as unfounded, and consequently judged that Alphonsus, too, must be compelled to stand in the judgment. Regarding the second doubt, the Fathers of the Lord noted in the finding that in this case there was indeed a dispossession. For, from the confession in...

[*Latin ed. p. 717*]

The Roman Rota, in its judgment of 717, issued against the defendant Vincent, concluded that the deceased parish priest, Leonidas Mizzoni, was in possession of the key to the chapel, and that this key was usurped by the aforementioned Vincent during the vacancy of the parish. The exceptions presented by the defendant were deemed unhelpful, whether concerning the alleged permission granted to the deceased parish priest for the use of

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the key, or the alleged transfer of the key with the consent of Vincent's brother, or the alleged non-existence of the parish priest when the key was taken. For the alleged permission for the use of the key is asserted but not proven, and furthermore, the presumption favors the parish priest, since the chapel, along with the parish church, is attached to and annexed to the same, and the revenues of legacies are also administered by the same. The second exception, as stated in the arguments concerning the first point, is also unhelpful, because it does not legally establish that the transfer preceded the dispute. Finally, the third exception is also unhelpful, because in this case, a claim based on force (*condictio ex 1. ult. God.*) could be attempted. This force, which action differs greatly from the remedy granted in 1 Si quis God. of the same title, as Reiffenstuel states, 1. c, no. 43: "This requires violence or the actual force of the possessor himself, not that, as if someone is sued solely because he entered into a vacant possession, and thus did not inflict violence on anyone." Furthermore, it must be understood that the church is equated to a minor, a city, a republic, which, as a moral person, does not die (cap. 1 and cap. heard, on the subject of complete restitution). Barbosa, in *Repertorium Iuris Canonici et Civilis*, v. *ecclesia*. Therefore, although the prelate may die, the possession remains with the church (cap. *Cum super de caus. possess. et prop.* and cap. *Cum officiis de testam.*, Barbosa, *loc. cit.*). Since the church is considered legally a minor, it follows that it cannot act except through its prelate or rector. In the present case, the rector of the parish church is the parish priest. Therefore, he can act to obtain restitution, which restitution cannot be entirely denied in the present dispute, since, according to the confession of the very person who committed the act, it is established that the possession of the aforementioned chapel's key was violated by the usurpation. Having considered and diligently pondered all these matters, both in fact and in law, and invoking the name of Christ, We, the undersigned Auditors of Tournon, sitting for the tribunal and with God alone before our eyes, concerning the proposed incidental question, We decide, declare, and pronounce that the priest Vincent Gaperna and his brother Alphonsus are obligated to appear in court, and that the parish priest of Saint Lucy is to be restored to possession of the key to the chapel of Saint Mary V. a Refugio, which was taken by Vincent Gaperna and is now being held by his brother Alphonsus, or, answering the proposed questions, We answer affirmatively to both; furthermore, We order that the aforementioned brothers Caperna be held liable for the judicial expenses.

[*Latin ed. p. 718*]

718 Acta Apostolicae Sedis - Official Commentary. Thus we pronounce, commanding the Ordinaries of the places and the ministers of the tribunals to which this pertains, that they enforce this our definitive sentence, and against those who resist, they proceed according to the norms of the sacred

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canons, and especially chapter 3, session 25, concerning appeals, of the Council of Trent, employing the executive and coercive means that shall prove more effective and suitable for the circumstances. At Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 8th of July, 1914. Joseph Mori, Prefect. Frederick Cattani. Anthony Perathoner. L. F. F. I. S. From the Chancery of the Holy Roman Rota, 21st of August, 1914. Rev. T. Tani, Notary. R.

CAMERA APOSTOLICA DECLARATIONS. The Reverend Apostolic Chamber notifies that in number 13 of August 31st, 1914, page 425 of the Acta Apostolicae Sedis, the report of the act of Recognition of the Body of Pius X of blessed memory must be corrected as follows: The actual act of recognition, which the R. C. A. Notary read here, is as follows, according to the customary form: In the name of God. Amen. Recognition of the body of the blessed memory of Pope Pius X, formerly Joseph Sarto. On the twentieth day of the month of August, in the year of Our Lord nineteen hundred and fourteen. Whereas the Most Holy Lord, our Pope Pius X, according to the divine providence, today at the first hour, approximately at half past the forenoon, in the apostolic palace at the Vatican, has paid the debt of nature, Em. and Rmv. Lord Cardinal Francis Salesius Della Volpe.

[*Latin ed. p. 719*]

719 B. The Apostolic Chamber of the Holy Roman Church, with its Chamberlain, assisted by the Illustrious and Reverend Clerks and Officials of the Apostolic Chamber, and myself, as Pro-Secretary and Pro-Chancellor of the same Chamber, presented themselves at the Papal apartments (commonly known as "apartment") of the aforementioned Palace, and, having entered with all those aforementioned into the chamber of the said Pope, they found His body still present in His bed; after rendering due reverence and offering prayers for His soul to God, they requested that the fishing ring of the aforementioned Pope be given to them from the Most Illustrious and Reverend Lord Victorio Amedeo Ranuzzi de' Bianchi, titular Archbishop of Tyre, Prefect of the Papal apartments, who handed the aforementioned ring, taken from a certain pouch, to the aforementioned Most Eminent and Reverend Cardinal Chamberlain, and consigned it to him, who in turn received it in order to present it to the first upcoming Congregation of the Most Eminent and Reverend Cardinals of the Holy Roman Church, and he reassured the Most Illustrious and Reverend Lord Victorio Amedeo Ranuzzi de' Bianchi in this matter, in due form, etc., in all respects, etc. Subsequently, the aforementioned Most Eminent and Reverend Cardinal Chamberlain ordered that an inventory of the aforementioned chamber and of the residences of the aforementioned Palace be made, with the assistance of those Royal Clerks of the Chamber who have been appointed for that purpose. Regarding

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which, etc. This was done in the aforementioned chamber, in the presence of the undersigned witnesses. The aforementioned solemn document was requested by the Notary of the Royal Chamber, and was signed by the Cardinal Chamberlain, by some members of the College of Clerks of the Chamber present there, namely the Most Illustrious and Reverend Monsignor Giovanni M. Zonghi, Mons. Vincenzo M. Ungherini, Mons. Felice Sarra, Mons. Vincenzo Bugarini, and Mons. Carlo Cremonesi, who signed precisely in that capacity as Clerks of the Chamber; by the Monsignors Camillo Caccia Dominioni and Alberto Arborio Mella di S. Elia, Secret Chamberlains of the same Holy See, in the capacity of witnesses; and by the notary Bartolomeo Farelli, Pro-Secretary and Pro-Chancellor of the Royal Chamber. * * * 1 The Royal Chamber declares that, in accordance with Article 27 of the Regulations annexed to the Constitution Praedecessores Nostri of Pope Leo XIII of blessed memory, confirmed in force by the Constitution Vacante Sede Apostolica 1, "27. When the Apostolic See is vacant, the acts shall be recorded by one of the Clerks of the Chamber (who shall also perform the office of Apostolic Notary) and the Notary of the Apostolic Chamber, together in writing and recorded."

[*Latin ed. p. 720*]

720 *Acta Apostolicae Sedis* – The Official Commentary of Pope Pius X, of blessed memory, a Cleric of the Chamber, also serving as Apostolic Protonotary, and the Notary of the same, should have authenticated the document pertaining to the burial (*Acta Apostolicae Sedis*, no. 13, page 428), as well as the documents pertaining to the Conclave (*Acta Apostolicae Sedis*, no. 15, pages 488 to 496), which, otherwise, were authenticated subsequently, following authorization granted for special reasons by the Cardinal Camerlengo. This authorization, which the Cardinal Camerlengo did not deny in order not to summarily judge the antecedents alleged in connection with the two previous vacancies of the Apostolic See, makes the broadest reservation necessary, lest it constitute a precedent against the prescription of the law currently in force, because, following a mature examination by a special Camerlengo Commission, the alleged antecedents have been recognized as contrary to law and custom.

* * The Holiness of His Most Holy Father, Pope Benedict XV, in the audience granted on December 10, 1914, to His Eminence, the Most Reverend Cardinal Francesco Salesio Della Volpe, Camerlengo of the Holy Roman Church, at the proposal of the aforementioned Eminence, ordered that all original documents pertaining to the three vacancies of the Apostolic See, which occurred through the deaths of the Supreme Pontiffs Pius IX, Leo XIII, and Pius X, which until now have been preserved in the office of the Notary of the Royal Apostolic Archive and in other archives, be deposited in the Archive of the Secretariat of the Holy College in the Vatican, in a spe-

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cially reserved section; that the custody of said documents be entrusted to the aforementioned Notary; and that the same documents remain always at the disposal of the Royal Apostolic Archive. By order of the Most Reverend Camerlengo, Bartolomeo Farelli, Pro-Secretary and Chancellor of the Royal Apostolic Archive.

[*Latin ed. p. 721*]

DIARY OF THE ROMAN CURIA

SECRETARY OF STATE

BY ORDER OF THE SECRETARY OF STATE

The Holy Father has deigned to appoint:

December 9, 1914. — His Eminence, Cardinal Filippo Giustini, Protector of the Institute of the Handmaids of the Sacred Heart of Jesus.

December 12. — The same His Eminence, Cardinal, Protector of the Institute of the Sisters of Charity of the Immaculate Conception of Ivrea.

December 14. — His Eminence, Cardinal Ludovico Billot, Protector of the Congregation of Jesus and Mary (Eudists), and of the Institute of the Sisters of "Notre Dame de Charité" called "du Refuge." — His Eminence, Cardinal Domenico Serafini, Protector of the Institute of the Pious Mothers of Ovada.

December 15. — His Eminence, Cardinal Vincenzo Vannutelli, Datary of His Holiness. — His Eminence, Cardinal Michele Lega, Prefect of the Supreme Tribunal of the Apostolic Signature.

December 20. — His Eminences, Cardinals Ludovico Billot and Filippo Giustini, Members of the Sacred Congregation of Religious.

December 24. — The same His Eminence, Cardinal Filippo Giustini, Protector of the Sisters of Saint Joseph of Cluny.

December 25. — Monsignor Carlo Sica, Minute-taker of the Secretary of State.

December 26. — The Reverend Father Luca of Padua, Capuchin, Apostolic Preacher, Consultor of the Sacred Congregation for the Causes of Saints.

By Apostolic Briefs, the Holy Father has deigned to appoint:

Domestic Prelates of His Holiness:

November 25, 1914. — Monsignor Luigi Castellani, of the archdiocese of Ferrara.

December 2. — Monsignor Angelo Sinibaldi, canon, Auditor of the Vi-

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cariate of Rome. — Monsignor Donaldo Maokiiitosh, rector of the Scottish College of Rome.

December 8. — Monsignor Giuseppe Palica, canon, Secretary of the Apostolic Penitentiary.

December 10 — Monsignor Patrizio Enright, of the diocese of Little-Roek.

December 11. — Monsignor Nicola Sebastiani, chancellor of the Apostolic Briefs.

December 12. — Monsignor Domenico Rinaldi, prior-parish priest of Orbetello.

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[*Latin ed. p. 722*]

Acts of the Apostolic See - Official Commentary

HONORS

With Apostolic Briefs, the Holy Father deigned to bestow the following honors:

The Insignia of the Order of Saint Gregory the Great: December 13, 1914. — To Mr. Commendatore Vespasiano Ambrosi-Tomasi, a retired official of the Noble Guard of His Holiness.

The Order of Saint Gregory the Great, civil class: November 22, 1914. — To Mr. Professor Luigi Bottazzo, of Padua. December 6.

— To Mr. Salvatore Pennisi of Fioristella, of the archdiocese of Catania.

The Order of Saint Sylvester Pope: December 1, 1914. — To Mr. Count Pietro Della Porta Carrara, a clerk of the Chancery of Apostolic Briefs.

— To Mr. Knight Luigi Bersani, an official of the same Chancery.

The Order of Saint Gregory the Great, civil class: December 1, 1914. — To Mr. Advocate Achille Spezza, an official of the Chancery of Apostolic Briefs. December 6.

— To Mr. Luigi Langeli, of Rome. December 9.

— To Mr. Notary Luigi Rossi, of the diocese of Ceneda.

The Order of Saint Sylvester Pope: December 4, 1914. — To Mr. Ernesto Borsbach, of the diocese of Paderborn.

APPOINTMENTS

With a letter from His Eminence, the Reverend Monsignor, the Holy Father deigned to appoint:

Extraordinary Secret Chamberlains to His Holiness: September 19, 1914. — Monsignor Giuseppe Calabrese, of the diocese of Susa. September 28.

— Monsignor Francesco Pascucci, of Rome.

— Monsignor Carlo Papini, of the archdiocese of Lucca.

— Monsignor Giovanni Corti, of Rome.

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— Monsignor Vincenzo Misuraca, of Rome.

[*Latin ed. p. 723*]

Diarium Romanae Curiae 723, September 28, 1914. — Monsignor Alessandro Bernabai, of Rome. September 30. — Monsignor Giacomo Bertini-Morini, of the diocese of Livorno. — Monsignor Antonio Dobner de Dobenau, of the diocese of St. Hippolitus. October 15. — Monsignor Giovanni Garozzo, of the diocese of Chiavari. — Monsignor Sebastiano Pinceti, of the same diocese. — Monsignor Francesco Rollino, of the same diocese. — Monsignor Antonio dos Santos Cabrai, of the diocese of Aracajú. — Monsignor Camillo Rasimelli, of the archdiocese of Perugia. — Monsignor Giorgio Unterpranger, of the diocese of BressanoDe. — Monsignor Engelberto Fischer, of the diocese of Erbipoli. — Monsignor Ludovico Benkert, of the same diocese. — Monsignor Ignazio Barthelme, of the same diocese. — Monsignor Francesco Hergenröther, of the same diocese. — Monsignor Giorgio Hemmerich, of the same diocese. October 23. — Monsignor Francesco Jankü, of the archdiocese of Prague. — Monsignor Antonio Nepil, of the same archdiocese. October 31. — Monsignor Luigi Demel, of the archdiocese of Olmütz. — Monsignor Giuseppe de Grimmenstein, of the same archdiocese. — Monsignor Giuseppe Kachnik, of the same archdiocese. — Monsignor Gustavo Klug, of the same archdiocese. — Monsignor Giovanni Kubicek, of the same archdiocese. — Monsignor Giuseppe Kuca, of the same archdiocese. — Monsignor Giorgio Láska, of the same archdiocese. — Monsignor Carlo Lorenz, of the same archdiocese. — Monsignor Antonio Matějček, of the same archdiocese. — Monsignor Carlo de Mensshengen, of the same archdiocese. — Monsignor Giuliano Roska, of the same archdiocese. — Monsignor Giovanni Schneider, of the same archdiocese. — Monsignor Francesco Snopek, of the same archdiocese. — Monsignor Antonio Stojan, of the same archdiocese. — Monsignor Francesco Srámek, of the same archdiocese. — Monsignor Francesco Teplioek, of the same archdiocese. — Monsignor Adalberto Siedlecki, of the diocese of Cracow. — Monsignor Francesco Starowieyski, of the same diocese. — Monsignor Antonio Gruszecki, of the same diocese. — Monsignor Pietro Krawczynski, of the same diocese. — Monsignor Casimiro Kaszelewski, of the same diocese. — Monsignor Ermanno Osburg, of the diocese of Paderborn. — Monsignor Lorenzo Feldkamm, of the same diocese. — Monsignor Francesco Saverio Montz, of the archdiocese of Koln. — Monsignor Lorenzo Richen, of the same archdiocese. — Monsignor Pietro Gratzfeld, of the same archdiocese. — Monsignor Francesco Schweizer, of the same archdiocese. — Monsignor Giuseppe Küpper, of the same archdiocese. — Monsignor Lorenzo Krichel, of the same archdiocese. — Monsignor Giovanni Kribben, of the same archdiocese. — Monsignor Carlo Cohen, of the same archdiocese. — Monsignor Giuseppe Schüller, of the same

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archdiocese. — Monsignor Andrea Carpené, of the diocese of Ceneda. November 4. — Monsignor Ladislao Szczesniak, of the archdiocese of Warsaw. November 6. — Monsignor Gaetano Dattilo, of the archdiocese of Cosenza.

[*Latin ed. p. 724*]

724 Acta Apostolicae Sedis - Commentarium Officiale, November 7, 1914. — Monsignor Cristiano Lingen, of the diocese of Treves. — Monsignor Francesco Tilniann, of the same diocese. — Monsignor Giuseppe Cavina Durazzo, of the diocese of Faenza. — Monsignor Guglielmo Frye, of the diocese of Fulda. November 10. — Monsignor Giovanni Trungel, of the diocese of Vaccia. — Monsignor Enterico Dolenczky, of the same diocese. — Monsignor Giovanni Kokovay, of the same diocese. — Monsignor Stefano Kestler, of the same diocese. — Monsignor Luigi Brusattin, of the diocese of Treviso. — Monsignor Leopoldo Cornalba, of the diocese of Pavia. — Monsignor Francesco Mariani, of the same diocese. — Monsignor Rodolfo Majocchi, of the same diocese. November 12. — Monsignor Riccardo Orsenigo, of the archdiocese of Vercelli. November 13. — Monsignor Francesco Kerner, of the diocese of Königgrätz. — Monsignor Francesco Sülc, of the same diocese. — Monsignor Albino Seidel, of the same diocese. — Monsignor Paolo Rozinek, of the same diocese. — Monsignor Francesco Tschertner, of the same diocese. November 16. — Monsignor Giuseppe Pachta, of the archdiocese of Prague. — Monsignor Anthony Wünsch, of the same archdiocese. — Monsignor Giovanni Schuh, of the same archdiocese. — Monsignor Francesco Blanda, of the archdiocese of Prague. — Monsignor Gregory Lindner, of the same archdiocese. — Monsignor Maurizio Picha, of the same archdiocese. — Monsignor Francesco Vaněček, of the same archdiocese. — Monsignor Giuseppe Schmid, of the same archdiocese. — Monsignor Giovanni Rihánek, of the same archdiocese. — Monsignor Ugo Geyer, of the same archdiocese. — Monsignor Giovanni Öerny, of the same archdiocese. — Monsignor Carlo Hilgenreiner, of the same archdiocese. November 18. — Monsignor Carlo Grossauer, of the diocese of Segovia. — Monsignor Giovanni Fernandez y Limoges, of the archdiocese of Madrid. — Monsignor Eugenio Cappuzzo, of the diocese of Padua. November 21. — Monsignor Giovanni Strohmenger, of the diocese of Erbipoli. November 24. — Monsignor Nicola Camera, of the archdiocese of Amalfi. — Monsignor Andrea Proto, of the same archdiocese. November 25. — Monsignor Carlo Edoardo Gandy, of the diocese of Plymouth. — Monsignor Daniele Kennedy, of the same diocese. November 26. — Monsignor Anthony Frollo, of the patriarchate of Venice. — Monsignor Giuseppe Busetto, of the same patriarchate. — Monsignor Melchiorre Formaglio, of the diocese of Padua. — Monsignor Giovanni Ferro, of Rome. November 27. — Monsignor Severino Pisoni, of the diocese of Lugano. Monsignor Giuseppe Antognini, of the diocese of Lugano. —

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Monsignor Rodolfo Tartufi, of the same diocese. — Monsignor Angelo Modini, of the same diocese. — Monsignor Angelo Abbondio, of the same diocese. — Monsignor Candido Petrini, of the same diocese. — Monsignor Giovanni Demaria, of the same diocese. — Monsignor Carlo Grassi, of the same diocese. November 30. — Monsignor Ermanno Bäuerle, of the diocese of Rottenburg.

[*Latin ed. p. 725*]

From the Roman Curial Diary, 725, November 30, 1914. — Monsignor Angelo Rotta, of Rome. — Monsignor Enrico Felici, of Rome. — Monsignor Giuseppe del Torchio, of the Archdiocese of Milan. — Monsignor Melchiorre Barberio, of the Diocese of Novara. — Monsignor Giuseppe Mariani, of the Diocese of Volterra. — Monsignor Lorenzo Oresti, of the Archdiocese of Siena. — Monsignor Vincenzo Schernbri, of the Diocese of Malta.

Honorary Chaplains in purple vestments, September 28, 1914. — Monsignor Carlo Lorenzetti, of the Diocese of Massa-Carrara. October 12. — Monsignor Giovanni Grossi, of the Diocese of St. Mark and Bisognano. — Monsignor Enrico Leone Constans, of the Diocese of Nîmes. October 15. — Monsignor Luigi Gotelli, of the Diocese of Chiavari. — Monsignor Giulio Boccali, of the Archdiocese of Perugia. — Monsignor Tiziano Veggian, of the Diocese of Vicenza. October 31. — Monsignor Francesco Gillig, of the same Archdiocese. — Monsignor Giuseppe Kubicëk, of the same Archdiocese. — Monsignor Carlo Polzer, of the same Archdiocese. — Monsignor Giuseppe Schinzel, of the same Archdiocese. — Monsignor Bonifacio Segeta, of the same Archdiocese. — Monsignor Giuseppe Zimmermann, of the same Archdiocese. — Monsignor Augusto Savels, of the Archdiocese of KolÃn. — Monsignor Martino Köllen, of the same Archdiocese. — Monsignor Riccardo Bertram, of the same Archdiocese. — Monsignor Giuseppe Brammer, of the same Archdiocese. — Monsignor Giuseppe Prill, of the same Archdiocese. — Monsignor Francesco Umpfenbach, of the same Archdiocese. — Monsignor Giacomo van Gils, of the Archdiocese of KolÃn. — Monsignor Teodoro Grewer, of the Diocese of Paderborn. — Monsignor Giorgio Zányi, of the Diocese of Cinque Chiese. — Monsignor Andrea Zajac, of the Diocese of Cracow. — Monsignor Carlo Nikiel, of the same Diocese. — Monsignor Giuseppe Bielenin, of the same Diocese. — Monsignor Antonio Kovächs, of the Diocese of Cinque Chiese. — Monsignor Giorgio Moransch, of the same Diocese. November 7. — Monsignor Luigi Tammaro, of the Diocese of Boiano. — Monsignor Giuseppe Liebisch, of the Diocese of Segovia. — Monsignor Giovanni Köck, of the same Diocese. — Monsignor Giovanni Graus, of the same Diocese. — Monsignor Francesco de Oer, of the same Diocese. — Monsignor Ercole Rambelli, of the Diocese of Faenza. — Monsignor Antonio Albertini, of the same Diocese. — Monsignor

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Giuseppe Panzavolta, of the Diocese of Forlì. November 10. — Monsignor Angelo Giovanni Battista Celi, of the Diocese of Feltre. — Monsignor Vincenzo Scalori, of the Diocese of Mantova. — Monsignor Giovanni Pravedoni, of the Diocese of Pavia. — Monsignor Carlo Rossi, of the same Diocese. — Monsignor Stefano Ghiaini, of the Diocese of Mantova. — Monsignor Carlo Thury, of the Diocese of Vaccia. — Monsignor Eugenio Toldy, of the same Diocese.

[*Latin ed. p. 726*]

726 Acta Apostolicae Sedis - Official Commentary, November 10, 1914. — Monsignor Emerico Sandula, of the diocese of Vienna. — Monsignor Gustavo Schwarcz, of the same diocese. November 16. — Monsignor Francesco Herzog, of the archdiocese of Prague. — Monsignor Carli ßaumgärtl, of the same archdiocese. November 18. — Monsignor Francesco Borierò, of the diocese of Padua. — Monsignor Vincenzo Marabini, of the diocese of Imola. — Monsignor Luigi Francesco Conti, of the same diocese. — Monsignor Angelo Callegari, of the diocese of Brugnato. — Monsignor Gennaro Gianico, of the diocese of Trivento. — Monsignor Giovanni Leitgeb, of the diocese of Segovia. November 21. — Monsignor Luigi Battelli, of the diocese of Urbino. — Monsignor Luigi Monticelli, of the diocese of Alife. November 24. — Monsignor Alfredo Mignini, of the archdiocese of Perugia. — Monsignor Andrea Cesarano, of the archdiocese of Amalfi. November 25. — Monsignor Nicola Pétrone, of the diocese of Avellino. November 26. — Monsignor Romolo del Duca, of Rome. — Monsignor Giuseppe Cammarota, of Rome. November 30. — Monsignor Venceslao Cordeschi, of Rome. — Monsignor Pellegrino Fini, of the diocese of Cortona. — Monsignor Gaetano Pierini, of the same diocese. — Monsignor Giuseppe Tondini, of Rome. — Monsignor Gaetano Coli, of the diocese of Volterra. — Monsignor Vincenzo Colombrino, of the archdiocese of Naples. — Monsignor Luigi d'Aquino, of the same archdiocese. — Monsignor Enrico Castelli, of the same archdiocese. — Monsignor Fedele Periccioli, of the archdiocese of Siena. Honorary Chamberlains, outside of Rome: October 15, 1914. — Monsignor Carlo Rosini, of the archdiocese of Perugia. October 31. — Monsignor Giuseppe Bena, of the archdiocese of Olmütz. — Monsignor Carlo Lysy, of the same archdiocese. — Monsignor Francesco Schneider, of the same archdiocese. November 7. — Monsignor Antonio Casanova, of the diocese of Faenza. — Monsignor Ferdinando Benelli, of the same diocese. November 13. — Monsignor Adolfo Faeh, of the diocese of St. Gall. November 23. — Monsignor Francesco Janear, of the archdiocese of Vienna. November 25. — Monsignor Felice Forgione, of the diocese of Avellino. November 30. — Monsignor Luigi Pepi, of the archdiocese of Siena. Secret Chamberlains of Sword and Cape, extraordinary: September 28, 1914. — Mr. Guglielmo Hüffer, of Rome. October 14. — Mr. Count B'abio Fani, of Rome. October

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15. — Mr. Count Antonio d'Estienne de Prunières, of the diocese of Gap. October 31. — Mr. Count Massimiliano Berge de Trips di Horrem, of the archdiocese of Cologne. — Mr. Carlo Goffredo Custodis, of the same archdiocese. November 4. — Mr. Alfredo Bourdin, of the diocese of Belley. — Mr. Marquis Antonio Spinola, of Rome.

[*Latin ed. p. 727*]

From the Roman Curia Diary, November 7, 1914. — Mr. Adamo Giuseppe Kiel, of the diocese of Fulda. November 10. — Mr. Count Ludovico de Colleville, of the archdiocese of Paris. — Mr. Count Giuseppe de Gronij Chanel, of the diocese of Lavai. — Mr. Leonzio de Montenon, of the archdiocese of Rennes. November 12. — Mr. Augusto Leone Kenny, of the archdiocese of Melbourne. November 13. — Mr. Count Edoardo de "Fazy du Bayet, of Florence. — Mr. Bartolomeo Teeling, of Rome. — Mr. A. Stuart Coats, of the archdiocese of Westminster. — Mr. Orazio Walpole, of the diocese of Portsmouth. November 18. — Mr. Roberto Hadsley Gosselin-Grimashawe Helier, of the diocese of Shrewsbury. — Mr. Geraldo Marco Borden, of the archdiocese of New York. November 19. — Mr. Count Enrico Turquet Bravard de la Boisserie, of the archdiocese of Paris. November 20. — Mr. Count Oliviero Beauregard, of the same archdiocese. November 21. — Mr. Count Filippo Viviani, of the archdiocese of Urbino. — Mr. Count Salvatore de Ciutiis, of the archdiocese of Naples. — Mr. Marquess Giuseppe Caracciolo di S. Agapito, of the same archdiocese. November 23. — Mr. Baron Antonio de Lehrer, of Dresden. — Mr. Count Filippo Bajóla Parisani, of Rome. November 24. — Mr. Giov. Battista Paganuzzi, of the patriarchate of Venice. November 25. — Mr. Francesco Vaughan, of the archdiocese of Westminster. — Mr. Dionisio Alfonso Fernandez de Alcalde, of the diocese of Madrid. November 26. — Mr. Callisto Patrignani, of the diocese of Cornacchie. November 30. — Mr. Giorgio Antoni, of the diocese of Fulda.

Honorary Sword and Cappa Bearers of His Holiness, supplementary: September 25, 1914. — Mr. Amedeo Giov. Battista Richardet, of the archdiocese of Paris. September 28. — Mr. Tommaso Pate, of the diocese of Livorno. September 30. — Mr. Augusto Gregorj, of Rome. November 7. — Mr. Ernesto Lombardo, of the archdiocese of Genoa. November 15. — Mr. Giorgio M. Bertrand, of the archdiocese of Paris. November 18. — Mr. Romano de Soczynski, of the diocese of Filippopoli. November 19. — Mr. Carlo Rosi, of Rome. November 24. — Mr. Salvatore Camera, son of Andrea, of the archdiocese of Amalfi. — Mr. Andrea Anastasio, son of Felice, of the same archdiocese. November 23. — Mr. Giuseppe Salviucci, of Rome. November 30. — Mr. Giovanni del Bo, of the archdiocese of Milan.

Secret Honorary Chaplains of His Holiness: October 15, 1914. — Monsignor Luigi Pozzobon, of the diocese of Ceneda. October 31. — Monsignor Francesco Virag, of the diocese of Cinque Chiese. — Monsignor Dionisio

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Mosonyi, of the same diocese. — Monsignor Sigismondo Gyömörey, of the same diocese. November 7. — Monsignor Giovanni Siener, of the diocese of Segovia. November 10. — Monsignor Michele Varga, of the diocese of Vaccia.

[*Latin ed. p. 728*]

728 Acta Apostolicae Sedis - Official Commentary, November 10, 1914. — Monsignor Rodolfo Ottavio Maria Giovanni Harscouët, of the diocese of Saint Brieuc. November 25. — Monsignor Pasquale de Magistris, of the diocese of Avellino. November 30. — Monsignor Vincenzo M. Tonimi, of Rome. — Monsignor Francesco Moro, of the archdiocese of Reggio Calabria. — Monsignor Carlo Menegazzi, of the patriarchate of Venice. 1 Honorary Chaplains, outside of Rome, to His Holiness: October 12, 1914. — Monsignor Giovanni Croce, of the diocese of Chiavari. October 15. — Monsignor Anton Domenico Rossi, of the same diocese. — Monsignor Domenico Garibaldi, of the same diocese. — Monsignor Marino Capellini, of the diocese of Petropolis. — Monsignor Bernardo Consolati, of the diocese of Sanseverino, Marehe-en-Famene. October 31. — Monsignor Geysa Szabó, of the diocese of Cinque Chiese. — Monsignor Stefano Komócsy, of the same diocese. November 7. — Monsignor Antonio Montanari, of the diocese of Faenza. — Monsignor Giovanni Amschl, of the diocese of Segovia. November 1. — Monsignor Ladislao Kontur, of the diocese of Vaccia. — Monsignor Zollano Viz, of the same diocese. November 21. — Monsignor Carlo Cautelino, of the diocese of Alife. Monsignor Francesco Mazzarella, of the same diocese.

NECROLOGY, December 10, 1914. — Monsignor Raimondo Villard, Bishop of Autun. December 15. — Monsignor Gustavo Provveduti, Abbot *nullius* of San Martino al Cimino. December 22. — Monsignor Coloman no Belopotoczki, titular Bishop of Tricala. December 27. — Monsignor Pietro Firminio Capmartin, Bishop of Orano.

[*Latin ed. p. 729*]

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[*Latin ed. p. 731*]

INDEX OF DOCUMENTS ARRANGED CHRONOLOGICALLY, YEAR, MONTH, DAY. I. - ACTA APPI. XI. - APOSTOLIC CONSTITUTION. 1914, March. Concerning the administration of the Major Seminary in Calabria. II. - CHIROGRAPH. 1914, To the Daughters of Charity. Concerning the Canossian Virgins for the education of souls. June, III. - APOSTOLIC LETTERS, SEALED WITH THE LEADEN BULLA. 1914, March 19. Concerning what has long been desired. Parishes of the Most Holy Cross on the Via Flaminia and of Saint Helen on the Via Casilina are erected. IV. MOTU PROPRIO. 1914, January 6; March 16; May 19; June 5. Concerning what has always been. Concerning the administration and governance of the Minor Roman Seminary near the Vatican. Concerning the abolishing of commissions attached to the Congregation of Holy Rites, and concerning the establishing of a new order of Consultors for liturgical matters. Already long ago. Concerning Italians emigrating abroad. Issued by Us. Concerning the suburban dioceses. Most excellent. Concerning the power to confer academic degrees granted to the Anselmian College of the City. Concerning the promotion of the study of the doctrine of Saint Thomas in Catholic schools. V. APOSTOLIC LETTERS. 1914, January; February. Reported to

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Us. Plenary and partial Indulgences on the occasion of the centennial of the restoration of the Society of Jesus. Concerning the Temple dedicated to Saint Joseph. The pious Society of Saint Joseph for the dying, founded in the aforementioned temple near the Porta Triumphalis of the City, is raised to the rank of a primary institute, with the faculty of being established throughout the world.

[*Latin ed. p. 732*]

732 Index of documents. YEAR MONTH DAY 1914 March 16 21 31 April 15 June. Divinely ordained. - The Apostolic Prefecture of Togonensis is established in equatorial Africa, under the Roman Pontiffs' Vicariate Apostolic. - To the venerable archabbey of St. Vincent O.S.B. in the diocese of Pittsburgh, the faculty of conferring academic degrees is granted for seven years by the University of Romania. - To the Most Reverend brothers, Victor Mihalyi De Apsia, Archbishop of Fogaras and Alba Iulia, and to the suffragan bishops of the ecclesiastical province of the Greek-Ruthenian rite, concerning the granting of the church of the Most Holy Savior to the village of "delle Gop-pelle" in the Romanian episcopate... 2 Solemnity of the Lord Jesus. - The new Apostolic Vicariate of "Tchao-tchiou" is established in China. 342 Concerning all churches. - The Apostolic Prefecture of "Kuam-Tom" is erected into an Apostolic Vicariate with the designation of "Canton." In the sublime. - The new Apostolic Delegation of Australia is established. Nothing is more excellent. - The Apostolic Prefecture of "Kuam-si" in China is erected into an Apostolic Vicariate. VI. - EXHORTATION TO ALL CATHOLICS OF THE WORLD. 1914 August 7. - LETTERS. December 13 1914 January 15 1913 20 31 You are rightly reminded. - To the Reverend Father Dom John A. Bazan, Bishop of ParanÃ¡, concerning the promotion of the cult of St. Nicholas of Bari. We grant to you. - To the Reverend Father Aemilius Siebelink, General Superior of the Brothers of Our Lady of Mercy, approaching the seventy-fifth anniversary of the founding of this religious institute. Indeed, it is pleasing. - To the Reverend Father Eugene Meyer, General Superior of the Missionaries of the Most Sacred Heart of Jesus, on the quinquennial anniversary since the founding of the Sodality of Our Lady of the Holy Heart. To you, in Rome. - To the Reverend Father Henry Sibilia, titular Archbishop of Sidon, Apostolic Legate in the Republic of Chile, who, having completed his service in this office, is counted among the prelates of the Church standing near the papal throne, with the benevolent will of the Most Blessed Father. The office which We... - To Joseph M. Cardinal Martin De Herrera, Archbishop of Compostela.

[*Latin ed. p. 733*]

In chronological order, the following are listed: YEAR 1914, MONTHS: February, March, April, May, June, and the 25th anniversary from the beginning of the episcopate in Compostella, which is soon to be celebrated.

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To the most illustrious Aloysius Oster, president of the Council for the administration of the Work of the Holy Infant Jesus in Upper Germany, we have received [a communication].

To Franciscus de Paula, Cardinal Cassetta, Bishop of Tusculanum, patron of the Sodality of St. Jerome for the spreading of the sacred books of the Gospels, we send news [of the matter].

To the most illustrious A. d'Hendecourt, Count, president of the Vincentian Society, we offer our most reverent greetings, having received letters concerning the growth of that same society.

From this [list]:

To the Reverend Father Clement of the Most Holy Faustinus and Jovitus, General Superior, and to the entire Order of the Discalced Carmelites, on the occasion of the third centenary of the honors bestowed upon St. Theresa, we offer congratulations for the Eucharistic Congress.

To the Reverend Father Natal Serafino, Bishop of Bugellensium, on the occasion of the Eucharistic Congress being celebrated in Bugella.

To the beloved son, the President of the Pious Antonian Society, universal in scope; whom we praise and to whom we offer our best wishes.

To Augustine, Cardinal Richelmy, Archbishop of Taurinensi, for the filial piety and the offerings of prayers reverently presented to the Most Blessed Father, on the feast of the Holy Joseph.

To the Reverend Father Vincent Scozzoli, Bishop of Ariminensium, as the century draws to a close since Pope Pius VII, of blessed memory, returned from Gallic captivity and adorned with a diadem the image of the Most Holy Virgin Mary, sacred to the people of Arimini.

To the Reverend Father Joseph Nèmeth, titular Bishop of Isaurensem, auxiliary of Csanadiensem, celebrating the fortieth anniversary of his episcopate and the sixtieth anniversary of his priesthood.

From this [list]:

To the Reverend Father Joseph S. Pelczar, Latin Bishop of Premisliensium, celebrating the fiftieth anniversary of his priesthood, as well as the diocesan synod.

All [of these].

To the Reverend Father Francis Xavier Wernz, General Superior of the Society of Jesus, to offer congratulations to the Society of Jesus on the occasion of its approaching centennial, after its restoration.

To the Reverend Father Joseph Scatti, Bishop of Savonensem and Naulensem, concerning the sacred celebrations to be held next year in Savona.

[*Latin ed. p. 734*]

Index of documents 734, YEAR 1914, MONTH DAY, then with arms,

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before Pope Pius VII, the image of "Mother of Mercy" was redeemed in Karlova. - To James Cardinal Gibbons, Archbishop of Baltimore, concerning the construction of a temple in honor of the Blessed Virgin Immaculate Conception in Washington. . . From all places. - To January Cardinal Granito Pignatelli di Belmonte, the Apostolic Legate announcing the celebration of the Convent of the Fathers of the Holy Spirit in the city of Lourdes, July VIII. - ADDRESSES, 1914, May 25, 27, from which the last. - Given in the Consistory. . . The great sorrow. - Given on the occasion of the imposition of the biretta on the new cardinals. ACTS OF POPE BENEDICT XV, I. - EXHORTATION TO ALL CATHOLICS OF THE WORLD, 1914, September. Where the first I L - ENCYCLICAL LETTERS, 1914, To the Most Blessed Prince of the Apostles. - To the Venerable Brothers, Patriarchs, Primates, Archbishops, Bishops, and other local Ordinaries, who have peace and communion with the Apostolic See. November III. - BY OUR OWN INITIATIVE, 1914, October 16, November 23, December 3, barely. - Graces and privileges granted to the clergy of the last conclave, according to the decision of Our Predecessor. - Concerning the Pontifical Commission for amending the Vulgate version of the Scriptures. - Concerning the theological college of Bologna, IV. - LETTERS, 1914, September 21, Regarding your letters. - To Anthony Cardinal Mendes Bello, Patriarch of Lisbon, for the most devoted letters presented to the Most Blessed Father, expressing your will. - To Francis Cardinal Dubillard, Archbishop of Chambéry, concerning the filial obedience most reverently rendered to the Most Blessed Father. In the coming days. - To Reverend Father Francis Xavier Schoepfer, Bishop of Tarbes and Lourdes, congratulating him on the successful outcome of the Lourdes Eucharistic Congress.

[*Latin ed. p. 735*]

In chronological order:

YEAR MONTH 1914 October. DAY 12, 16, 18, 20, 25. November 21. Common Letters.

- To Franciscus a Paula, Cardinal Cassetta, Bishop of Tusculanum, patron of the Pious Society of St. Jerome, for the dissemination of the sacred books of the Gospels. Letters filled with obedience.

- To the Most Reverend Father Paschal Morganti, Archbishop of Ravennatensis and Bishop of Cervia, concerning the pious exercises of the priests of both dioceses. It is with particular interest.

- To Aloysius L, Cardinal Luçon, Archbishop of Rhemensis, concerning the letters presented to the Most Blessed Father regarding the state of the same archdiocese. We are grateful.

- To Felix, Cardinal de Hartmann, Archbishop of Coloniensium, who informed the Most Blessed Father that His Majesty the German Emperor has decreed that French priests captured in the war should be treated equally

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with military officers. We have been informed.

- To the distinguished man, Ludovicus, Viscount d'Hendecourt, President General of the Association of St. Vincent de Paulo, praising the aforementioned association. From the Pontificate.

- To the Most Reverend Father Joseph Mora y del Rio, Archbishop of Mexico, concerning the grave state of the Mexican Church.

- A rescript is added from the Sacred Congregation for Extraordinary Ecclesiastical Affairs. To the Catholic [Church].

- To the Most Reverend Father Paschal Morganti, Archbishop of Ravennatensis and Bishop of Cervia, concerning the solemn secular preparations for the blessed Alighieri. From the Pontificate.

- To the Most Reverend Nicholas Dobrecic, Archbishop of Antibarensem, to whom we commend charity towards the captives detained in his diocese. Common from the Bishops.

- To Michael, Cardinal Logue, Archbishop of Armacanum, concerning the letters received from the Bishops of Hiberniae, most obediently rendered. We pray for you.

- To the Reverend Father Fl. Mortier, General Moderator of the Congregation of the Immaculate Heart of Mary, on the occasion of the fiftieth anniversary of the founding of the aforementioned congregation. We have received.

- To the General Moderator of the Congregation of Priests of St. Mary, concerning the act of devotion reverently presented to the Most Blessed Father. With the greatest sorrow of mind.

- To the Most Reverend Father Ioannus G. Shaw, Bishop of St. Anthony, concerning the outstanding charity with which he, and the priests and religious families, have assisted numerous Mexican secular priests and ordinaries who have been expelled from their homeland.

[*Latin ed. p. 736*]

736 Index documentorum. YEAR MONTH DAY 1914 November 25 December. PAGE. From official letters. - To the Reverend Aloysius Oster, president of the Council for the administration of the Work named after the Holy Infant Jesus in Upper Germany... Concerning the faithful. - To His Eminence Cardinal Desideratus Mercier, Archbishop of Mechlin, lamenting the sad conditions of the Belgian nation, praises the proposal to collect Peter's Pence, but yields to the needs of the people. - 693 668 V. - ADDRESS Given to the College of Purple Patrons offering prayers and wishes during the vigil of the Nativity of the Lord. 694 III. - MINUTES OF THE SACRED CONGREGATIONS I. - S. CONGREGATION OF THE HOLY OFFICE. 1914 April. Decree. The priest Caesarius Vachère, of the diocese of Poitiers, is expressly excommunicated. SECTION ON INDULGENCES. 1914 January, March, April. Decree concerning

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indulgences and privileges attached to the exposition of the Most Holy Sacrament. 74 Decree. An indulgence of one hundred days is granted to those who recite a certain prayer to Christ the Lord. 107 Decree. An indulgence of one hundred days is granted to those who recite a certain prayer to the Blessed Virgin Mary, for the purpose of reparation. 108 Two ejaculatory prayers to the Blessed Virgin Mary are enriched with an indulgence of one hundred days. 109 Decree. Prayers to be recited after spiritual exercises or after missions are enriched with an indulgence of three hundred days. 110 Decree. An indulgence of one hundred days is granted to those who recite the ejaculatory prayer of the Blessed Virgin Mary, "of perpetual help." III Decree or declarations concerning certain spiritual benefits granted to the Pius Society for the Propagation of the Faith. 305 Decree. Special indulgences are granted to associations instituted for the promotion of the reading of the Holy Gospel. 306 Decree or declaration concerning the registration and transmission of the names of the faithful to pious confraternities. 307 Decree or indult concerning the performance of sacramental confession before the day on which an indulgence is to be gained. 308

[*Latin ed. p. 737*]

In chronological order:

MAY. Decree or declaration concerning the manner of blessing certain devotional objects by apostolic authority. . . 21. Decree. Special spiritual graces are granted in favor of societies of the faithful dedicated to temperance or abstinence from intoxicating drink. . . Summary of indulgences and privileges granted by the Apostolic See to the Archsodalitas Barcinonensis "Adorationis assiduae pro Pontifice" . . . 28. Decree or declaration concerning priests delegated to impart the general absolution and the papal blessing to the Secular Tertiaries. . . . 11. Decree or declaration concerning the "as often as desired" indulgence attached to crucifixes. 25. Decree. A plenary "as often as desired" indulgence is granted for the comfort of the deceased on November 2. Decree or declaration concerning partial indulgences that can be gained once or multiple times per day. 10. Decree. An indulgence of 100 days is granted to those who recite a certain prayer in honor of the Most Sacred Heart of Jesus. Declaration or indult concerning the recitation of a certain prayer for the conversion of Africa. 12. The indulgence is increased for those who recite certain prayers during times of calamity. Indulgences which the Most Holy Lord Pope Benedict XV grants to the Christian faithful who, having retained some of the crowns, rosaries, crucifixes, small statues, medals, blessed by the same Holy See, have fulfilled the prescribed pious works. Decree or declaration and indult concerning the indulgences granted to sodalities for promoting the reading of the Holy Gospel. Decree. Indulgences are granted to those who devote themselves through a certain prayer of the Lord, namely "Jesu, Caritate Dominans, miserere

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nobis," in the months of June, July, August, September, November, and December. 737 18 II. - SACRED CONGREGATION CONSISTORIAL. January 12, February 27, March, April, May 5, 12. Decree. The special interdict placed upon the city of Galatina is revoked. Declaration. Concerning the election of a vicarious general for the diocese of Americae Septentrionalis as a diocesan consultant. Decree concerning priests who emigrate to certain regions. Decree. The Confraternity of the Blessed Virgin Mary of Mount Carmel in Catacena is suppressed. Erection of a Prelature Nullius. 31 35.

[*Latin ed. p. 738*]

738 IN THE YEAR. Index of documents. MONTH DAY May 14. June 25. 28. August 8. 20. September. November 22. December. [PAGE] Decree of nominal excommunication against the priest Philip Gnam, of the diocese of Londonensis in Canada. Acts of the Consistory, as published by the Consistory itself on that day. Acts of the Consistory, as published by the Consistory itself on that day. Decree concerning the acceptance of the office of counselor to municipalities or provinces by priests throughout Italiam. Decree. Priests in Italiam are prohibited from giving names or providing services to socialist societies. Concerning the college of priests for Italians emigrating to foreign regions. Acts of the Consistory, as published by the Consistory itself on that day. Declaration concerning the Decree of the Sacred Congregation Consistorial regarding priests emigrating to certain regions, dated March 25, 1914. Declaration. Concerning the election of capitular vicars in certain Mexican dioceses. Circular letters to the Most Reverend Ordinaries of the dioceses of Italiam, concerning the spiritual care of emigrants.

III. - SACRED CONGREGATION OF THE COUNCIL. December 15. March 14. BURGI, S. SEPULCHRI, AND OTHERS. Masses for the people and choral services. DIOCESES. Concerning the restoration of damages. IV. - SACRED CONGREGATION FOR RELIGIOUS. March. May. Decree. A commission is established to approve new sodalities and their constitutions. Norms to be observed in the review and approval of a new institute and its constitutions. Decree. Concerning the term of novitiate and its interruption. PARISIEN. Concerning novices addicted to military service. SUESSONIEN, AND OTHERS. Concerning the Masses recited by religious members at the intention of their Superiors. ROMANA, AND OTHERS. Concerning confession among Eastern priests, and concerning the confession of novices. V. - SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. December. April. July 30. Decree. A new apostolic prefecture of Lang-Son and Cao-Bang is established in Tonkin. Decree. The apostolic prefecture of Gibuti in French Somalia is established. Decree. The apostolic prefecture of Adàmaua in central Africa, under German jurisdiction, is established. 20. Decree. The territory of the

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apostolic prefecture of the Sunda Islands is increased.

[*Latin ed. p. 739*]

739. Chronologically arranged. MONTH DAY PAGE. VI. - HOLY CONGREGATION FOR THE PROPAGATION OF THE FAITH, CONCERNING THE RITES OF THE EAST. August 17. Decree concerning the spiritual administration of the Greek Church in the United States of America. VII. - HOLY CONGREGATION OF THE INDEX. Decree by which certain works are prohibited. Decree by which certain works are prohibited. January. June. . . . . VIII. - HOLY CONGREGATION OF RITES. November. January 14. February 17. 23. 6. 10. 12. 27. March 21. » 20. April ». ». 4. 28. ». May 13. Additions and variations in the Roman Martyrology. Decree of approval of the book of variations in the Divine Office recited. BELLUNEN. Concerning baptism administered at home. VERSALIEN. Concerning baptism administered outside the Church. VALLISOLETANA. Decree of beatification and canonization of the Servant of God, Father Bernard Francis de Hoyos, a professed priest of the Society of Jesus. ASTEN, AND TURIN. Decree of beatification and canonization of the Servant of God, Dominic Savio, a young lay student of the Salesian Oratory. Doubts concerning the feast of Dedication and its Octave. STRIGONIEN, AND OTHER DIOCESES OF HUNGARY. Concerning the feast of the Blessed Virgin Mary, great Lady of the Hungarians. Decree concerning local feasts which must be observed by Religious. Decree concerning prayers for the deceased servants of God who were renowned for their sanctity. Decree of approval of the typical edition of the Ratisbon Breviary. Decree of approval of the typical Breviary of the Vatican. Decree concerning unusual titles for churches and sacred images which should not be used. Office of the Sacred Relics. Doubts. Declaration concerning Saints or Blesseds honored publicly in some places, without a certain decree or indult of the Holy See. BELLJCEN. Canonization of Blessed John Mary Vianney, parish priest of the village of "Ars." SYRACUSANA or PANORMITANA. Beatification and canonization of the Servant of God, Joseph Mary of Palermo, a novice of the Order of the Friars Minor of the Conventual Observance of St. Francis. Decree of approval and concession concerning Offices and Masses of Communion for several confessors, whether pontiffs or not, and for several virgins, whether or not virgins.

[*Latin ed. p. 740*]

740 Index documentorum ANNO I, MENSE Maii, Iunii, Iulii, Augusti, Novembris, Decembris. PAGE. DIE. Decretum concernens Festa propria quae in aliquibus provinciis religiosorum, conventibus, monasteriis aut domibus speciali ratione observantur. . . . ROMA. Approbationes propriorum officiorum pro clero almae Urbis, eiusque districtu. Dubia. Decretum seu declaratio concernens propria officia et missas. BAIOCENSIS et

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LEXOVIENSIS. Beatificationis et canonizationis servae Dei sororis Teresiae a Puero Iesu, monialis professae Ordinis Carmelitarum Excalceatarum in monasterio Lexoviensi. Decretum seu declaratio concernens officia propria. Dubium de propriis dioecesanimis. Decretum de luce electrica super altari non adhibenda. Decretum approbationis lectionum pro festis universalis Ecclesiae quae alicubi tantum commemorantur. Dubium circa festa localia pro regularibus. . . . 15. Alterum decretum seu declaratio super insuetos cultus. 7. Dubia. 11. ROMA. Parochi Urbis rochetti et palmatoriae privilegio ornantur. Decretum. De vi ad probationis officiorum quae in propriis particularibus inscribuntur. 11. SAGIEN. Dubia. 315, 285, 316, 380, 351, 553, 382. 407, 708, 673, 709. IX. - SACRA CONGREGATIO PRO NEGOTIIS ECCLESIASTICIS EXTRAORDINARIIS. Octobris, Novembris. 14, 10. Decembris. 21. De Missa votiva B.M.V. Guadalupensis. Unicuique sacerdoti conceditur facultas, praesente bello durante, in utilitatem militum, singulis scapularium benedictionibus numismata ditandi. . . . De cura captivorum a clero habenda. 544, 673, 710. X. - SACRA CONGREGATIO STUDIORUM. Iulii. 27. Theses quaedam in doctrina sancti Thomae Aquinatis contentae, et a philosophiae magistris propositae, adprobantur. 383. IV. - TRIBUNALIA. I. - SACRA POENITENTIARIA APOSTOLICA. Decembris. 18. Decretum. De cappellanis militum quoad facultatem ad recipiendas sacramentales confessiones fidelium, durante bello. 712.

[*Latin ed. p. 741*]

In chronological order, arranged by year, month, and day:

SACRA ROMANA ROTA.

1913 » » 1914
Iul. Nov. Dec. Ian. » » »
Febr. » »
Mart. » » » » » » » » » »
1 22 20 12 15 27 17 20 3 » »
17 » 28
5 12 29
Maii » » » » »
Iul. 6 » » » » »
Aug. 10 »
Nov. 27 »
8
SALUTIARUM. Rights.
HELIOPOLITANA. Rights.
POLICASTREN. Jurisprudence.

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ALEXANDRINA. Claims.
Jurisprudence and presentation.
Sentences under seal from the year 1913, dispositive part.
CAMERACEN. Defamation.
CREMONEN. Rights.
MEDIOLANEN. Claims.
WESTMONASTERIEN. Claims.
Nullity of marriage (Llewellyn-Robinson).
Summons by edict, FESULANA.
Rights, PARISIEN.
Nullity of marriage (Chazal-Moulin).
BRUNNEN. Incorporation or jurisprudence.
PARISIEN. Nullity of marriage (Ulens-Lelorrain).
Causes under seal, NULLIUS SUBLACEN.
Solution, MEDIOLANEN.
Right of burial, OREGONOPOLITANA.
Nullity of marriage (Dina Smith-Abner O'Kieffe), AVENIONEN.
Nullity of marriage (Bujoli-Bosse).
VERULANA. Jurisprudence, concerning an incidental question.
PRAGEN. Nullity of marriage (Schuller-Mueller).
Summons by edict.
Declaration III.

SIGNATURA APOSTOLICA.

1913 1914 » »
Dec. Ian. Febr. Maii »
Iul. » »
SEGUSINA. Right or sentence of nullity, total.
NEO-EBÖRACEN. Sentence of nullity.
Causes reserved, THELESINA or CERRETANA.
Restitution in integrum and rights, HELIOPOLITANA.
Jurisprudence or sentence of nullity, total, and restitution in integrum.
Decree.
28
MILETEN. Restitution in integrum and rights.
9 10 1 22

V. - OFFICES.

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I. - R.

CAMERA APOSTOLICA.

Dec. Nov. 741 28
Declarations
30

II. - SECRETARIA STATUS.

LETTERS.

To the most illustrious Lord Joseph Dalla Torre, Count, concerning the relationship of the society commonly known as "Unione popolare fra i cattolici d'Italia."

[*Latin ed. p. 742*]

742 Index of documents. YEAR MONTH 1913 December 1914 January February DAY 11 12 21 March. To the Reverend Father D. Bellino Carrara, S.J., who presented to the Most Blessed Father, as a sign of filial devotion, a small work on the Galilean question. To the Reverend Father G. Piffl, Archbishop of Vienna, because a memorandum was reverently presented to the Most Blessed Father by the most illustrious Herr Count Ferdinand Trauttmansdorff, president of the society called "Katholischer Volksbund." To Cardinal Andrea Ferrari, Archbishop of Milan, concerning the synod of the diocese to be held shortly. To the Illustrious Herr Renato Bazin, a member of the French Academy, who reverently presented to the Most Blessed Father, as a sign of devotion, a copy of a prayer composed by him, concerning the prizes commonly called "Prix de vertu," awarded by the aforementioned Academy. To the Reverend Father R. De Teil, president of the central council of the work called "De la Sainte-Enfance," who, as a sign of devotion, reverently presented to the Most Blessed Father a copy of the annals of the aforementioned work for the year 1913. To the Reverend Father H. Casgrain, rector of the Catholic society recently founded for immigrants in the Canadian region. To the Reverend Father Anthony Padovani, titular Bishop of Canopita, auxiliary of Cremona, concerning the establishment of a permanent committee for the Eucharistic Congresses to be held in Italy. To the Reverend Father Delassus, who offered to the Most Blessed Father, as a sign of devotion, a copy of the work entitled "La mission posthume de Jeanne d'Arc et le règne social de Notre-Seigneur Jésus-Christ." To the Reverend Father James De Amicis, vicarius capitularius of the diocese of Genoa, concerning the congress for Christian education to be held in Genoa next May. To Cardinal Desideratus Mercier, Archbishop of Mechlin, because a sign of piety and charity, presented in the name of the clergy and the people, was reverently presented to the Most Blessed

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Father. To the Reverend Father Leonidas Perrin, superior of the Canadian College, on the occasion of the twenty-fifth anniversary since the aforementioned college was founded in Rome. To the Reverend Father Grimal, who reverently presented to the Most Blessed Father, as a sign of filial veneration, a copy of the work "Jésus-Christ étudié et médité." To the Illustrious Herr Joseph Bussières, general president of the pontifical works of Canada, concerning the following letters given by the Most Blessed Father. To the Illustrious President and other members of the committee that governs the society called: K 19 21 April.

[*Latin ed. p. 743*]

In chronological order:

YEAR MONTH DAY

1914 May 5

12

19

July 14

July 16

December

To the Reverend Father and Doctor A. Humbrecht, Bishop of Pictavium, for letters sent to the Most Blessed Father concerning ecclesiastical conferences.

To the Reverend Father and Doctor Eugenius I. Grellier, Bishop of Vallis Vidonis, for the exemplary statutes of the synod of that diocese, reverently presented to the Most Blessed Father.

To the Reverend Father A. Caterini, S.L., director of the Pontifical Gregorian University, for three gold coins benevolently destined by the Most Blessed Father, to be distributed among the students who have attained the dignity and title of Doctor with the highest praise.

To Francis Cardinal Bourne, Archbishop of Westmonasteriensium, for a report reverently presented to the Most Blessed Father concerning the growth of the Catholic Church in Anglia.

To the Reverend Father Aemilius Peillaube, director of the Seminary of St. Thomas Aquinas, in Lutetiae Parisiorum, for the exemplary constitution of that seminary, reverently presented to the Most Blessed Father.

To the Most Reverend and Right Reverend Two Cardinals and Archbishops of nations in which war prisoners are held.

VI. – PONTIFICIAL COMMISSION FOR BIBLICAL MATTERS.

1914 June 24

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Concerning the author and the manner of composition of the Epistle to the Hebrews, page 743.

[*Latin ed. p. 745*]

INDEX ANALYTICUS RERUM NOTABILIUM

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[*Latin ed. p. 746*]

746 Index of notable topics that can be reconciled with living realities. The Roman Breviary, in its Ratisbon edition, is approved as supremely excellent and exquisite in its literary and typological aspects, 192; and the editions of the Typographers of the Holy Roman Church, Benedict XIV, regarding the election of the Pope, 457; specifically, Desclée and Soc., A. Mame, H. Desel, the act of accepting the pontificate, Sain and P. Marietti,

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are found according to the typological arrangement, 494; the promulgation, 495; the coronation, 500; encyclical letters, — the Vatican edition is approved as typological, 565, see Encyclicals, 672. The Order of St. Benedict receives thanks from Pope Pius X for the most excellent letters given, 245. Henry Bergson: three of his books are listed in the Index, 314. New cardinals are appointed in Biretum, 260. The Theological College of Bologna: it has always fostered theological studies by the Apostolic See, and it also approves the ancient Studium Generale in the theological faculty of Bologna, which Innocent VI encouraged, for the glory of the Church and religion, 689. However, it was afflicted by the 18th century, but not extinguished; rather, it was revived by the care of Leo XII, 215, with special laws. The buildings of the College and Seminary, along with the adjacent land and all that is attached to the Pontifical University of Bologna, will be under the authority of the Holy See through the Congregation; the college, however, is dedicated to the clergy of Calabria for the study of philosophy and theology; so, for example, in matters concerning the conversion of public affairs, the superiors of Calabria, but no one, not even one of the doctors or masters among them, shall depart from the Apostolic See without the consent or knowledge of the Rector; these glories were attained by the Pope who governs the Archdiocese of Bologna, to all of whom the College wishes to be pleasing, and if possible, to be heard; five are chosen to be present to the Rector for advice on more important matters; the Ordinary of Catana has the same rights as other Ordinaries; the Seminary, along with the attached buildings and gardens, are exempt from the jurisdiction of other dioceses, but the local parish priest, by the authority of the Rector, is responsible for the spiritual care of the students; the Rector, Master of Piety, and Moderator of Studies have the right to choose the Prefect; the group of bishops designates the theologians, with the advice of the Rector, and with the consent of the Sacred Congregation; the theological faculty is authorized to confer academic degrees; the sacred orders of the students may be celebrated in the Oratory of the Seminary, 217, and each year they must present the necessary documents; with regard to other matters, the laws that must be observed in the governance and administration of seminaries must be observed in all other matters; Cardinal Francis Bourne, Archbishop of Westminster, receives a letter in which Pope Pius X states that he has read with great pleasure about the increase of the Catholic Church in England, and that he is encouraged by the zeal and generosity of Catholics in promoting the wonderful work of restoration of the Catholic Church in that region, 401.

[*Latin ed. p. 747*]

Index analyticus rerum notabilium 747. Decreta Camerae Apostolicae, quotidie edita, de rebus praeterita et futura. In successionem actus recognitionis cadaveris Pii PP. X, Benedictus PP. XV, ad catholicos orbis,

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debitam formam redigebat, precibus coniunctis, et sacri Collegii filialibus, dum 718. votis et ominibus. Ex quibus, nullum praesenti festivitati et nostris diebus Ganossianae virgines, ut ad sacras earum, quae votum pacis est, aptius. Quamobmissiones educantur, 341. Speciali dote Sui inde ab initio Pontificatus, ut mus Vimercate destinatur, quae unice Vicarius D. N. I. C, principis pacis, sub iurisdictione Apost. Sedis erit et ab Antistita generali gubernabitur, 342. dum reduceretur. Voluit proinde, ut Cappellani militum, v. Confessiones sacrae, Nativitatis tempore, breves et dementales, Captivorum terminatae bello darentur indutiae, ut Captivorum curam vult B. P. ut clerus hasacris illis in horis familiae pacis radiis beat : a) eligant Ordinarii dioecesum, ubi fruerentur. Inaniter: tamen, 695, omni captivi versantur, sacerdotes idoneos ut nisu in incepto pergit. Clama ne cesses: eorum curam gerant, 710; b) nihil relinunde captivorum commutationem, quod ad captivorum utilitatem rava, et vult ut ad captivos eosdem, sanimi, vitae et corporis pertineat; c) si sacerdotes idonei accedant, eisque necessarias consolationes et auxilia praebeant; factae nondum fuerint, suadeant ut hoc tandem pastores et fideles laudat qui statim faciant; d) si captivi autem hoc, enixis precibus Cor Ssmum Iesu rogant, quacumque de causa, praestare nequeant, ut terribili flagello finem imponat. Ad sacerdotes ipsi, eorum nomine, praevotum suum commotis verbis redit, atque stent, 711; quod Decretum ad aliquos gubernatores et populos vehementer Card. Archiep. singularum nationum, a Card. a Secretis Status, epistola comminante, transmittitur, 711. Emis tamen patritante, transmittitur, 711. Bus prosperam vitam operamque exoptat Cardinales Patres: eos in Sacrum Consistorium congregatos Pius Pp. X alloquens, 696, Deum rogat ut hominum generi cordiam et pacem, iuxta placita Christi, ecclesiarum consulere vult, 253, praeserconcedat, 697. tim turbulentissimis Ecclesiae perseverantibus temporibus, quibus tamen Deus — in Conclave ingressi, 484. concessit solatium sollemnia saecularia —- creati in Consistorio diei 25 maii 1914, restitutae Ecclesiae libertatis celebrandi. 255; eos in bireti impositione alloCrux Christi unicus fons pacis salutisquens Pius Pp. X memorat necessitatem que demonstratur: optimum est enim tuendi integritatem et puritatem doctripropositum adlaborandi ad calamitates nae praesertim hisce temporibus, quiturbarum et caedes bellorum prohibenbus adoptantur nonnullae ideae concidas, sed parum fructuosum, nisi iustiliationis Fidei cum moderno spiritu, tiae et caritatis christianae praescripta quae ad interitum usque ipsius Fidei in animis radices agant, 254. Iniuriae ducunt, 260; dolet ex eo quod non omnes Ecclesiam non commovent : numquam catholici verbum suum bene intellexerit enim est defutura divina opes; ut saeculo atque interpretaverint, quin immo multi iam exeunte Pium VII contumeliis diuarbitrarias interpretationes, Pontificis turnae captivitatis exemptum, reducem placitis contrarias, invenerint; auxilio ac triumphantem Roma excipiebat, 255. igitur cardinalium indigere affirmat ut hi sint primi

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defensores sanae doctrinae, — vota atque optata in pervigilio Nativitatis offerentes, Benedictus PP. XV alloofferentes, Benedictus PP. XV alloquitur, propriamque patefacit satisfactionem ob vota illa, quippe quae unia universale bonum respiciant Ecclesiae. Huius memorat luctum ob mortem Pii Pp. X s. m., quem sincere luget, 694, dicens laudans virtutes et promerita quae

[*Latin ed. p. 748*]

748. An analytical index of notable matters, including those who obey in all things, follow peace, and participate in public supplications; these are proclaimed and blessed by the Pontiff and the parish, 373. In Catholic associations, Pope Benedict XV, scarcely having established the moral and religious good of the chair, is horrified and prefers associations of the faithful with the lamentable sorrow of this entire war under the banner of the Church; therefore, struck by this, he urges and exhorts them to hasten to seek the help of Christ, to end this calamity, 262. Furthermore, Pope Pius X, receiving the voice of the Most Holy Father, 501, – a biretta is placed upon them in the Consistory of May 28, 281, and September 8, 1914, 510. He urges and implores them to obtain, with humble prayer and all their strength, the booklet on the question of Galileo, which has been historically examined, with the Church as guardian, and with the favor of the common votes of the faithful in Christ's doctrine, and with sincerity and prudence, so that God may lay down this scourge of wrath. He then prays vehemently three times and implores those who deal with the affairs of nations to consider the misery and mortal struggles that accompany them, and to hasten to enter into peace negotiations, 502. Cardinal Francis de Paula Cassetta, Bishop of Tuscany, patron of the Sodalitas a S. Hieronymo for the reading of the sacred Scriptures, receives congratulations for the exemplary version of the Italian edition of the Holy Scriptures to which the Catechism of Christian doctrine was added, 106; the choir is obligated to perform and distribute hymns, if any, in churches in which the service is performed alternately every week, unless something expressly prevents it, 9. – He receives thanks from Pope Benedict for common letters and services, preceded by E. V., and for the excellent men of the pious Society who have exhibited themselves. Pope Benedict rejoices that he himself was a participant in the beginning of the work; he commends the association, especially because it is most suitable for our times, when oblivion of the life and precepts of Jesus Christ is the cause of all errors; he praises the diligence of the members in the edition and propagation of copies of the holy books, and expresses the wish that these books enter into Christian families, so that all may learn to walk worthily and please God, 539. Pope Benedict praises the faith of St. Theresa, with which she adhered most firmly to the doctrines of the Church, 138, with which she beheld the Lord as if with bodily eyes; she was inflamed with zeal for spreading this to others, embracing the apostolate of prayer

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and penance, 139; she proclaims her singular piety towards Jesus Christ, whose image she sought to imitate in herself, so that, inflamed with that charity, she penetrated the inaccessible depths of the Word, contemplated Christ, and lived not for herself, but for Him. But her greatest love was especially for the Eucharist and the Church, 140. No one has praised the Most Holy Sacrament more magnificently, desired it more ardently, or suffered more for its neglect; he urges that all approach Christ, the Prince of Peace.

[*Latin ed. p. 749*]

Index analyticus rerum notabilium 749. The people of the world and their impiety are testified to in these writings. At least ten sacraments are mentioned, and exemplary constitutions are sent out, along with documents concerning the state of the Institute. He professed the utmost obedience to the Church, and to the consultants of his Commission. The Cardinal praises the Prefect; his life, however, suggests that he is one who, through austerity, chastity, and diligence, fulfills his duties as Secretary; another is appointed to whom, through constant prayer, he seeks from God that all documents be presented, and who is devoted to the best priests, so that the Church may flourish. He also added helpers to himself, 141, namely, that, along with an example of the Constitution, the Order to which he gave his name, and the names of the members of the Commission, be distributed to each member, so that they may return to the severity of the old discipline; the consultants also took part in the deliberations. Remembering these things, the Blessed Pope encourages all Carmelites to flourish in both their spiritual and mystical life, 190; the consultants, under the guidance of the Cardinal Prefect, meet regularly to discuss matters, 142, and, after receiving opinions, they give their support; alien to the desire for new things, as Saint Teresa taught, they guard the discipline, which has reached the highest peaks, and which is followed by the most profound Catholic theology, and which the Fathers have often and obscurely expressed in a concise form; 143. The Pontifical Commission is dedicated to correcting the common version of the writings: the advice was initiated by Pope Pius X. The Blessed Pope urges this to be made known and disseminated; and he considers the benefit to the Church of granting a plenary indulgence to those who visit, four times a year, the special houses of the Carmelites, 144; and a plenary indulgence is granted only once to those who visit any house of the Order of Carmelites, of the Discalced, and of the Third Order, on days when triduums or novenas are held, 145. The Blessed Pope confirms this, adorns the Pontifical Commission with the title of honor, and orders that it be subject to certain laws, 666. The Clementine Instruction relates to the exercise of the Forty Hours: it is permitted, at the judgment of the Most Reverend Ordinary of the place, to grant privileges for this exercise, where liturgical, historical-liturgical, and sacred ceremonies are abolished; and a new Consultor is appointed for liturgical matters, so that the Sacred

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Congregation for the Clergy is divided into two sections, one to hear causes of beatification and canonization, and the other for matters relating to the liturgy and the relics of the Saints; the same Consultor may be counted in both sections; the Consultors are proposed by the Cardinal Prefect, 26; the old Consultors, who persevered in their duties, are assigned to the first section, 27, because of the death of Pope Pius X, 456; see Cardinals. The composition of the Commission takes place only when the obligation of restitution is certain; its definition, 706. Conclave: preparation, 473; commissions of Cardinals concerning the conclave, 474; officials, 475; prescriptions for closure and custody, 482; rogations.

[*Latin ed. p. 750*]

750 Index analyticus rerum notabilium: internal enclosure, 487; the request of the diocese of Cratensis, from the territory of the diocese of Fortalexiensis, in Brazil, is established, 551; external enclosure, 488; public prayers in the Olindensis archdiocese, 552. Prayers during the conclave in the city, 492; the conclave diary, 493; it cannot be said that the administrator is a debtor until the administration has been completed and the request has been made, 496. Rendering of accounts of the administration, 202. To the clerics who participate in the conclave, the Supreme Pontiff grants graces and privileges, 533; some privileges and indulgences, restored by the Ecclesiastical Liberty, remain suspended for a time due to present circumstances, 301; the names of confraters of whom mention is made in the motion concerning the extinct parish of S. Maria in Via Lata, and another concerning the extinct parish of Ss. Quirici et Iulittae: the Cardinal Vicar will define the boundaries of each, 302. It is not permitted for a private citizen to condemn another, 163. Confessionary sacraments: it is to be received by all faithful who come to them, and they may use the faculties granted to them for the sake of conscience by the confessors, 33; but by another, who is accustomed to be appointed by the principal rector, it is to be exercised, 34, 358. The confraternity of B. Maria Virgine de Monte Carmelo in Catacensis, as contrary to the laws and offices of such an institute, is suppressed, and its rights or privileges are abrogated by this very fact, 312. The Congregation of the Servants of Charity: Pope Pius X receives congratulations for its zeal and diligence in performing the parts of the sacred ministry, 177. It is not permitted for priests to undertake the office of counselor in the administration of public affairs, unless with the prior consent of the proper Order of each priest and the local Order in which the administrative mandate is to be exercised, 313. Dedication of all churches, see Feast. Simulated consent is held when, although outwardly expressing consent with serious and proper words, internally one does not consent, 516; captives, as well as prefects of soldiers, are treated alike; and he believes that not only clerics, but all captives, especially those affected by illness or wounded, should be embraced with the utmost

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charity by the Supreme Pontiff, 542. The Association of S. Vincent de Paulo is praised, 106, 545; see D'Hendecourt. The constitutions of any institute are to be approved by the Sacred Congregation of Religious, 190; see Commission. De Hoyos Bernardus Franciscus, born in the Spanish town of Torrelobaton, devoted himself to letters as a young man in the colleges of the Society of Jesus, both in Augustae Emeritae and in Villagarcia; afterwards, feeling a divine vocation, he was accepted into the Society of Jesus and took his simple vows; he diligently studied philosophical and theological disciplines and received Holy Orders. The commemoration of the Conversion of S. Paul is celebrated on the Sunday occurring or concurrent with Dominica Septuagesimae, 407. "Cordis Iesu eucharistici" title, see Title. Goubé Stephanus submits himself to the decree of the Sacred Congregation for the Indies, 31.

[*Latin ed. p. 751*]

Index analyticus rerum notabilium 751. Called by God, he greatly promoted devotion to the Sacred Heart of Jesus, but suddenly, afflicted by a fatal illness, he peacefully departed this life. The territory of Ehrensberg and Harres, a portion of which, after his death, experienced a growing devotion, 116. Pope Platten of the diocese of Augsburg was separated from the Commission for the introduction of the cause, and the parish received the title of "Blessed," 117. Hiederthann and Delassus of the archdiocese of Munich are included in the collection "La Miséricorde de Frisingen," as a posthumous tribute to Jeanne d'Arc and the social reign of the Most Sacred Heart of Jesus, and because of their effectiveness in moral renewal in France, they receive greetings and thanks from the metropolitan church, 133. The Holy See will be pleased to learn of this, 188. Georgius de Lucchi, the first rector of the seminary in Calabria, is praised for his faith, piety, and doctrine, and is concerned about the religious, moral, and economic conditions of the Italian emigrants, and what he has done and what the bishops have done for their welfare, which Pope Pius X remembers, 174. These are not sufficient for the work, so he decrees that Italian priests from the secular clergy should be admitted to the college, with the consent of their bishops, who will remain there for a year or two to help the Italian emigrants. Further details will be declared in other letters. The bishops are asked to support this noble endeavor, so that Italian colonies of emigrants may find worthy priests, 175; they are also asked to send collections, which are usually made for missionary and emigration purposes, to the Consistorial Congregation, in order to establish this college, 176. Ludovicus d'Hendecourt, president of the Vincentian Society, receives thanks from Pope Pius X for letters regarding the growth of the Society, who praises the diligence and industry of the deceased Paul Calon, and encourages that Frederick Ozanam be remembered in prayers and acts of charity, 106; he also receives thanks from Pope Benedict XV for the letters presented,

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and praises the association for its abundant spiritual benefits everywhere, 545. Nicolao Dobrecic, Archbishop of Bar, commends the charity towards captives held in his diocese, 546. The domicile of the bride is not lost unless it is a celebrated marriage, 397. The Dominican Province of Languedoc, Immaculate Conception, is granted a new apostolic prefecture of Lang Son and Gao Bang, 30. Therefore, moved by all these things, the Holy Father desires that, above all, the aforementioned College be established, confident in the charity of the faithful and the zeal of the bishops, 699, and by his august decree, he establishes that the same College be located in the buildings that formerly housed the Roman and Pius Seminaries, 514. Circular letters are sent to the Ordinaries of the dioceses of Italy. The care of Pope Pius X for Paternae is remembered, especially his Motu Proprio. Franciscus Dubillard, Archbishop of Chambéry, receives thanks for the filial devotion shown by the Holy Father, who commends him in prayer, 514.

[*Latin ed. p. 752*]

752. The Index Analyticus should contain a list of notable items. To assist with the needs of the College and various institutions for emigrants, the Sacred Congregation of the Consistory requests that Ordinaries in all parishes collect an annual sum for the benefit of institutions assisting emigrants; and that they send to the Sacred Congregation the names of priests who are willing to undertake ministry among emigrants. Ordinaries may also send special offerings for the assistance of emigrants during their journey across the ocean to the Society of Missionaries for Emigration, named after Saint Anthony of Padua.

700. Encyclical Letter of Pope Benedict XV, "Ad beatissimi Apostolorum Principis," dated November 1, 1914. Having advanced to the Chair of Saint Peter, he turns his gaze with the greatest benevolence upon the entire flock, that is, upon all those whom Christ has redeemed with his blood, desiring that all may be one and that all may attain salvation. The lamentable course of human affairs is a cause of acute sorrow to the Holy Father: especially the most grievous and atrocious war which generates ruin, slaughter, misery, and suffering; therefore, by the mercy of God, he again implores peace for the world and earnestly urges those who hold the fate of nations in their hands to strive for this end. But another war exists for society, 567, of which there are four principal causes: the lack of mutual benevolence among men, the contempt for authority, the injurious contention of orders with orders among citizens, and the desire for material goods as the sole end of human activity. He reminds us that Christ the Lord laid the foundation of peace in charity, in love for one another. He is the one Father, whom we are taught to invoke in prayer; Jesus called us brothers, 568; he said that what is done to the least of these is done to him; he asked that we be one in charity, as he and the Father are one;

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and finally, hanging on the cross, he poured out his blood for us, uniting us as one body. Never has there been less fraternal conduct among men. Therefore, it is necessary that charity once again reign in men: this will be the very character of his pontificate. To this end, he exhorts bishops; and he observes that works of beneficence will profit nothing if they do not foster true love of God and neighbor, 569. Another cause of disturbance is the contempt for authority, for it is considered to originate not from God, but from the will of men. This spirit has permeated all aspects of society: hence the contempt for laws, the uprisings of crowds, crimes, and other similar things. True power comes only from God, and therefore, legitimate authority must be obeyed, 570, for he who resists authority resists the ordinance of God. Let rulers and leaders of nations remember this and consider whether they should abandon religion and exclude Christian doctrine from public institutions for the education of youth: force crushes bodies, not spirits. With charity and obedience to authority established, it is no wonder that society is divided into two warring classes, the class of those who possess wealth or industry, and the class of proletarians and workers, who consider themselves to share the same nature but not the same condition as the former; hence arise resentments, hatreds, strikes, disturbances, and struggles. Therefore, let nothing be forgotten of what Pope Leo XIII decreed concerning the error of socialists and others of that ilk; and let the doctrine of the Gospel, especially mutual charity, be proclaimed ever more clearly, 572. But the root of all these evils is cupidity: for since, through the perversity of schools and the dishonesty of writers and other causes, the pernicious error has been instilled in minds that happiness is to be sought only in this world, it is not surprising that these men, driven by the very force that nature impels them towards happiness, reject all that hinders them in this pursuit. On the contrary, Christ teaches in the Sermon on the Beatitudes, 573, that men can be and are truly blessed, even if they are poor, afflicted, and persecuted. This doctrine must be recalled to the minds of all: we do not have here a lasting city, but we seek one that is to come, 574. Let faith and worship of supernatural things be renewed, let the desire for eternal goods be awakened, 574; for as faith and charity increase, social unrest and contention will diminish, 575. Turning his thoughts to the affairs of the Church itself, the Holy Father...

[*Latin ed. p. 753*]

Index of notable matters, especially concerning the most holy predecessor's life and his illustrious acts of providence. It addresses the growth of the sacred hierarchy, the establishment of a young clergy, the defense of the integrity of Catholic doctrine, the splendor of worship, and the propagation of missions. Nevertheless, much remains to be corrected, and many good things to be promoted; which the Most Blessed [Pope] will diligently pursue, 575. Since unity and concord of minds contribute greatly to the

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success of the common cause, let dissensions and discord cease among Catholics, lest the enemies of God and the Church seize the opportunity for victory. Therefore, let no one neglect what legitimate authority has commanded, and let no private individual, through books, journals, or public speeches, act as a teacher in the Church. However, in matters where freedom exists – within the bounds of faith and discipline – let all intemperance of speech be absent, 576. Let our people also abstain from those newly adopted appellations used to distinguish Catholics from Catholics, and let them avoid them as profane novelties of language, from which confusion and disturbance arise. Nothing can be added to, nor taken away from, the Catholic faith; let each one say: "Christian is my name, Catholic is my surname." Let Catholics strive to preserve the integral faith, following the Vicar of Christ. Let the monstrous errors of Modernism be eradicated, which Pope Pius X called the collection of all heresies and solemnly condemned, 577, a condemnation which the Most Blessed [Pope] confirms, and urges all to beware of any contagion of this evil, even from the spirit, as they say, of Modernists. Let nothing be innovated, unless it is what has been handed down; and concerning those things which can undergo change, let the rule be: "Not new, but made new." Since fraternal encouragement and mutual examples greatly contribute to true life of faith, the Most Blessed [Pope] rejoices that various Catholic associations have been established, and he desires that they be increased, obediently observing the prescriptions of the Apostolic See, 578. This requires the work of the clergy; therefore, the Most Blessed [Pope] urges and implores bishops to exercise the utmost diligence in properly forming and instructing priests and clergy according to the best institutions and precepts; and he commends the prescriptions of Leo XIII and Pius X, especially the Encyclical *Pius XI*. He reminds priests to be closely united with their own bishop, and laments that it has often happened that the clergy have not conformed to this rule. He then recalls that the authority of bishops is divine, not human, 579, and therefore, as Catholic doctrine teaches, if one is not with the bishop, "he is not with the Church," 580. At the end of these letters, the Most Blessed [Pope] returns to the plea for peace, so that human society may progress in all civil and human endeavors, and so that the Church, without any hindrance, may everywhere bring help and salvation to people. For it no longer enjoys the freedom it once had, from which the Most Blessed [Pope] has begun to lack the protection granted by divine Providence. Therefore, all the children of the Most Blessed [Pope], both near and far, rightly demand, 580, that their Father be truly and visibly free from all human power in the administration of the apostolic office. Therefore, the Most Blessed [Pope] laments this condition and renews the complaints of his predecessors for the same reasons. Since the will of men is in the hands of God, let all earnestly pray to God for peace, with the most blessed Virgin present, who receives into her protection her person, her ministry,

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and the souls redeemed by Christ, 581. — Authentic versions: Italian, 585; French, 600; Spanish, 615; German, 630; English, 647. Bishops cannot introduce any change in the general law of the Church, either in a synod or outside of a synod, but they can authentically declare that a custom has been introduced contrary to the common law, and they can confirm it, 556. — Letters from the Sacred Congregation of the Consistory are received concerning the spiritual care of emigrants, 699; see Emigrants. A bishop has the faculty of uniting benefices, 292; however, he cannot change the nature of a collegiate church, 367. — His authority is to be held in the highest regard, 580. The Letter to the Hebrews is certainly to be considered not only among the canonical books, but also among the genuine writings of the Apostle Paul, despite the difficulties arising from the recent absence of the name Paul, from the purity of language and the elegance of style, from the method of allegorizing, and from certain alleged differences in doctrine, V. T.

[*Latin ed. p. 754*]

754. An analytical index of notable matters, including doctrines and decrees, is presented; moreover, the concord of words and phrases concerning the observance of the same day, which should be celebrated in the future with the same agreement, similitude, and admonition, demonstrates through a single chanted Mass and another Pauline reading that they are to be remembered, 284. It is not necessarily required to affirm that the form of the vestment donated to the Church in the universal calendar under the class of the second order with an octave is a simple one, 417. In some places, the principal feasts of the patron saints or titular churches of cathedrals, including the Eucharist on the holy Saturday among the solemnities, and even a Mass celebrated by the Regulars, may be distributed to the faithful, provided that the proper calendar is observed, 197. Exceptions, when considered by the tribunal, do not exercise their force unless they are proposed at the beginning of the judgment, 20. The anniversary feast of the dedication of all churches is to be understood as the feast of the dedication of the particular church being celebrated in each church. 76. Cardinal Andrew, Archbishop of Milan (Mediolanensium), receives a letter in which he is praised for the council of the diocesan synod of Mineo and the special proposal regarding the celebration of the Eucharist with the second class rite throughout Hungary, for the healthy culture, due obedience to authority, exemplary life, and diligent exercise of the sacred ministry, without neglecting anything, 100. The island of Flores is detached from the apostolic vicariate of Batavia and added to the apostolic prefecture of the Sunda Islands, 379. The following feasts are to be celebrated: the Holy Family on January 19th; the Most Holy Redeemer on July 15th; the Blessed Virgin Mary of the Immaculate Heart, on the Saturday after the octave of the Most Holy Body of Christ; of Perpetual Help on June 27th; of the Joys on

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August 27th; of Consolation, on the Saturday after the feast of St. Augustine, Confessor and Doctor; of the Trinity on October 11th, and of Purity on the 16th of the same month, 197. The Capuchin friars receive a new apostolic prefecture of Djibouti, 233. The right to perform the funeral rites belongs to the parish priest of the place where the deceased died, even if he died outside the parish territory; however, it can also be obtained by privilege and by custom, 555. The feast day of saints who are celebrated outside of their day of death in a religious order is to be observed on the assigned day, even if they enjoy the higher rite, unless they are to be celebrated together with the secular clergy for reasons of patronage or otherwise, 283. The city of Galatina, which had been placed under a special interdict due to an attempt at sacrilege, is released from the interdict; the Archbishop of Hydrus is exempted; the feast day of the saints of the order is to be celebrated with the first class rite together with the octave, as by the secular clergy, 283. The feasts of the Blessed are to be observed inviolately on the same day as in the entire order, 284. The Office of St. Genovefa is to be recited by the diocese of France, and is to be observed without fail on the same day as in the entire order, 285. Cardinal James, Archbishop of Baltimore (Baltimorensium), receives a letter in which Pope Pius X expresses his heartfelt desire to build a temple in honor of the Blessed Virgin Mary, Immaculate, in Washington.

[*Latin ed. p. 755*]

Index analyticus rerum notabilium 755. The University of studies, especially for priests sent from Europe to be ordained and to teach young people, remains within the diocese of their origin, but it is beneficial to the Church and to the Greek-Ruthenian cause, and contributes to the well-being of the republic; and with this permission, they may return to their homeland to seek the protection of the Immaculate Mother. Rectors of missions may be removed, 375, at the discretion of the superiors, with the right of appeal to the Apostolic Delegate and to the Prefecture Apostolic of Soma in the Sedes. Priests erected by the bishop under Gallic law are supported from a special fund for the apostolic work among the Goths, and are granted the rights of the clergy and emoluments, 233. The determination of the sacred ministry by the Ordinary, for example, Philip, a priest of the diocese of London, is made; where, however, faithful of the Greek-Ruthenian rite are present, but there is no mission established for them, or no one of the same rite is present, the bishop may, with temerity and without sacrilege, establish a mission, 277. If the archbishop of the Latin rite has seized the jurisdiction of a presbyter of the Greek-Ruthenian rite before a secular court, the presbyter may communicate this to his Ordinary, 461, but the penalty of excommunication, reserved to the Supreme Pontiff, applies to him, 278. If there are no Greek-Ruthenian churches, the faithful can conform to the Latin rite, but they cannot be compelled by Latin priests in the United States of America to do so, nor can they change over unless

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with the special permission of the Holy Congregation; indeed, the laws, 458, state that: the Greek-Ruthenian churches, even if they are continuous, do not induce a change of rite in the Latin churches. Latin faithful may receive the sacraments from a Greek-Ruthenian priest approved by their Ordinary, and may receive absolution from their own bishop for sins and faults reserved to him; this also applies to faithful of the Greek-Ruthenian rite who confess to Latin priests; the pastor diligently inquires into the circumstances of those who receive the Eucharist, whatever rite they have followed, and demands an accounting of the Eucharist for each mission, which must be supported by an annual stipend from each Ruthenian diocese, and the pastor must reside in the city of New York; every five years, he must present a report to the Apostolic Delegate on the state of the mission, including its personal, moral, and material condition, and also present any disputes with Latin bishops that may have arisen, 460, and he must pay the debts of the deceased, 462. Clergy are educated in their own seminary, or in other colleges; priests lacking support are requested from Europe by the Holy Congregation for the Propagation of the Faith; if necessary, they obtain a dispensation from the bishop for their marriage; the priest who marries his wife must follow her rite and may resume his own rite afterwards; children who are seeking inheritance, or who are wavering in the faith or are given to drunkenness, or who are in any case outside of necessity, are not baptized, nor are they admitted to the sacraments in America, and if such are dismissed, 460; the sacraments are administered to them.

[*Latin ed. p. 756*]

756 Index analyticus rerum notabilium Granito Pignatelli di Belmonte, cardinalis: Ianuarius: visitatio, quae praescribitur, in quaelibet ecclesia vel oratorio peragi potest, 670.

— Pius PP. X ei epistolam accipit qua eum renuntiat Legatum suum ad conventum eucharisticum Lourdense, ex societatibus a temperantia vel abstinentia ab inebriante potu, explorata Mariae Ssmae industria ad gloriam Iesu mystice latentis revelandam, 309.

— archisodalitati Barcinonensi « Adoratio Dam, uberrimam copiam fructuum, praesertim in salutem Galliae, obtinendas devoventibus, 697.

— plenaria quater lucranda oratoria D. N. donis, gratias accipit ob exemplar Statua S. Corde Iesu dicata visitantibus, 29.

— pro defunctis tantum, toties quoties fideles confessi et S. Comunione refecti, ecclesiam vel oratorium visitent, defuncticis suffragaturi, die 2 novembris, 378.

— Grimal gratulationes recipit ob exemplar operis « Jésus-Christ étudié et médité » reverenter Pio Pp. X exhibitum, 245.

— semel in singulis hebdomadis, ubi continua habetur Ssmi Sacramenti

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solemnis expositio saltem per mensem, quamvis noctu interrupta, fidelibus confessis et S. Comunione refectis, etc., 75.

— Helenae (S.) paroecia, v. SS. Crucis.

— Hieronymi (S.), v. Pia Societas.

— Holshey Carolus decreto S. C. Indicis humilitate visitatione, nisi diverso modo aliqua sit, indulgentia acquirenda, 75.

— Humbrecht A., Pictaviensium episcopus, epistolam accipit qua Pius PP. X gaudet atque conferentias ecclesiasticas, missiones pastoribus et fidelibus proficuas, 248 gratulatur ob exhibitum.

— CGC dierum fidelibus preces post peracta exercitia spiritualia vel peractas recitantibus, 110.

— item recitantibus quasdam orationes tempore calamitatis, 506.

— C dierum certam precem Christo Domino I recitantibus, 107.

— Incorporatio: quid sit et quotuplex, 319.

— certam precem, reparationis causa, beatae Mariae Virg. recitantibus, 108.

— pariter ditantur binae iaculatoriae preces ad B. M. V., 109.

— item iaculatoria prex B. M. V. de Periculo Succursu, 111.

— laudem in honorem Ssmi Cordis Iesu in Ssmi Sacramento recitantibus, 406.

— Indulgentias (Ad) lucrandas ius habent fideles, a legitime deputato in sodalitatem admissi, quorum nomina nondum ad eam pervenerint; vel quorum nomina, quaecumque de causa, in album sodalitatis relata non fuerint, 308.

— sufficiens habetur confessio sacramentalis, ultimo octiduo ante diem pro lucrando indulgentia, peracta, 309.

— Indulgentia plenaria « toties quoties » cruci affixis adnexa quomodo sit intelligenda, 348.

— Indulgentiae conceduntur:

— plenariae et partiales occasione tertii saeculi S. Teresiae tributis, 144.

— occasione centesimi anni restitutionis Societatis Iesu, 221.

— sodalitatibus lectioni S. Evangelii pro vindendis, toties quoties preces vel pia opera rei ferantur, lucrari valent, 379.

— quas ad lucrandas, sufficit ut fideles adscribantur quacunque sodalitio canonice erecto etiam extra locum vel dioecesim in qua de, 306.

— Indulgentiae speciales a S. P. Benedicto XV impertiuntur fidelibus retinentibus aliam ex coronis, rosariis, crucibus,

[*Latin ed. p. 757*]

Index analyticus rerum notabilium 757, auctoritate approbata, sed sub regimine crucifixis, parvis statuis, numismatibus, unius praesidis

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non constituta; vel quae ab eadem S. S. benedictis, qui praescripta ad recitationem divini officii non tenuerunt, opera adimpleverint, 503. tur, 118. Infantia (opus a S. Jesu), v. D'Hendecourt, Konrad Aloisius: eius liber, donec corrigatur, in Indicem refertur, 314. Iniuria quae sit et in quo consistat, 156. Intentio matrimonium contrahendi, v. Matrimonium. Kuam-si praefectura apostolica Sinensis in vicariatum apostolicum erigitur, 345. Kuam-Tom (de) praefectura apostolica in vicariatum apostolicum cum appellatione de « Canton » erigitur, 344. Joseph Maria a Panormo, Ordinis Minorum Capulatorum tiro, imbecillae aetatis labes magnis virtutibus emendavit. Disciplinis technicis in publicis scholis Lang Son et Cao Bang in Ton-Kin erigitur praefecturam apostolicam et condicitur Patribus Dominicanis provinciae seminarium archiepiscopale immaculatae Conceptionis, 30. Lectiones emendatae uti habentur in Protus, inter tirones Fratrum Minorum Capulatorum cooptatus, diligentissime Deo servivit et altius emicuit virtutibus, morbo pulmonum correptus, placide obiit. Cum fama eius sanctitatis historicae, in dies clarior et diffusior evaserit, Commissio introductionis eius causae beatificationem a Pio Pp. X signavit, 281. Juria parochialia praescribi possunt, nam leges prohibentes se exa vi praescriptionis non extendunt etiam ad eos qui operam praestant seu cooperantur in eius divulgatione, 46. « Ligue internationale catholique contre l'alcoolisme » praeses societatis epistolam accipit qua Pius Pp. X gratulatur ob nobile opus, et dum memorat nisus Summi Pontificis hac de re, 246, hortatur ut praesertim ex oratione et sacramentis certitudinem victoriae hauriant, 247. Congrecationes seu Instituta utriusque sexus a S. Sede approbata; quae tamen celebrare tenentur officia localia Dedicationis et Festa patronorum principalium, cum officio et missa clero saeculari concessis, 118; nisi ipsi regulares habeant eadem festa cum officio et missa propriis; si graves exstent rationes ad aliqua festa localia, praeter recensita, subiiciantur S. C. Rituum, ut in Kalendario festa illa inseri possint, 353. 119. Lucis electricae usus prohibetur non solum e candelis ex cera super altaribus, sed etiam loco candelarum vel lampadum quae coram SSmmo Sacramento vel reliquiis Sanctorum praescribuntur, ut in Kalendario festa illa inseri possint, 353. 119. Luçon card. Michael, Armacanus archiep., Titularis Ecclesiar. cathedr. epistolam accipit qua B. P. ei gratias agit ob litteras ab episcopis Hiberniae cum officio et missa clero saeculari concessis, 667. Lucis electricae usus prohibetur non solum e candelis ex cera super altaribus, sed etiam loco candelarum vel lampadum quae coram SSmmo Sacramento vel reliquiis Sanctorum praescribuntur, ut in Kalendario festa illa inseri possint, 353. 119. Luçon card. Aloisius, Rhemensis archiep., accipit a B. P. litteras de statu eiusdem archidioeceseos, et B. P. quam maxime affligit, 541.

[*Latin ed. p. 758*]

758 Index analyticus rerum notabilium: Fear: What conditions must be

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present for a marriage to be invalid, 675 sq.; M how it is distinguished 676; what fear Maeterlinck's complete works in Indigravis; difficult to prove, 677. cem are referred to, 31. Meyer Eugenius, general moderator of the Missionary Society of the Most Sacred Heart of Jesus, is granted a mandate to carry out his mission for a period of five years, after which he will not be able to leave, 200. The Sodality of Our Lady of the Holy Virgin Mary of Hungary, founded at Mechlin, receives a letter in which the feast day is mentioned. Pope Pius X remembers his benevolence towards this growing work, 28, and reiterates this with a letter to Cardinal Martin de Herrera. Archbishop Joseph, custos of the archdiocese, grants full indulgences to be obtained annually on the days from the 50th anniversary of the founding of the Sodality and from the anniversary of his episcopate, and receives a letter from Pope Pius X expressing congratulations and best wishes, and granting him the papal blessing to be imparted once, 73. And to Alba Julia, and her bishop, a letter is sent according to the Greek-Roman rite, concerning the vows, 222. Although it was required that the contract be before either the groom's own parish priest or another priest of the Church of the Savior in the town, or before a priest delegated by the groom's own parish priest or Ordinary, 387, 409. The Lady of the "Coppelle" is granted full possession of the property in the town of Rumeno, 223. A simple votive Mass is celebrated within the Octave of the Nativity of the Blessed Virgin Mary, as on the feast day of the Nativity, but without the Creed, 407. The intention of entering into a marriage can be combined with the intention of not obligating oneself; but if the intention is contrary to the good of the Sacrament, it invalidates the marriage, 519; if, however, the intention is contrary to the good of the faith or is otherwise, see Offices and Masses. A marriage is not invalidated unless it has been brought up in court, 520. The territory of Matto Grosso in Brazil, which is in the territory of no diocese, is named the Registro do Araguaya, and is erected as a suffragan diocese of Cuiabá, 350. Modernism is again condemned by the Holy Father, 578. Cardinal Antonius Mendes Bello, Patriarch of Olyssippo, receives signs of gratitude from the Holy Father for his goodwill, who in turn prays that Your Eminence may, with active charity and prudence, find much relief and growth for the afflicted Church, 513. The diocese of Montesclarensi receives the municipality of Paracatù, which was separated from the diocese of Uberaba, along with some territorial portions separated from it, 188. Joseph Mora y del Rio, Archbishop of Mexico, receives a letter in which the Holy Father laments the grave condition of the Mexican Church, and joins his prayers to those of the clergy, so that, if it please God, the Blessed Virgin of Guadalupe, their patroness, may restore harmony; he praises the proposal to collect funds, and marvels at the power of money to alleviate needs, to support the divine cult and the clergy, 543. Sebastian Merkle of the Sacred Congregation for the Propagation of the Faith humbly submits

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to the decree, 31.

[*Latin ed. p. 759*]

Index analyticus rerum notabilium 759. Morganti Paschalis, Archbishop of Ravenna, and – is interrupted if a novice, dismissed from the house by his Superior, leaves; if, without the permission of the Bishop of Gervia, he abandons the house due to letters of obedience; if he remains outside for more than thirty days, even with permission, or if he does not receive the Petrian stipend, 229. Also, if, due to bonds of kinship with the Bononian See, he is between those dioceses, – if, within thirty days, he receives a letter from the Most Holy Father, it suffices that these days be counted as days of action for the priests who are assigned to the novices, 229. Those who are compelled to leave the house for exercises of probation by the celebrants themselves, for the sake of military service, are considered interrupted; it is truly suspended if, within thirty days, those who will be supplemented, are addicted to the vices of the world; the Most Holy Father reminds the Roman Pontiffs that the time of the novitiate should be devoted to the service of the liberal arts and literature, provided that the house of probation always exists and that outstanding men in these matters have always been pursued with honor; however, novices may remain in some way under the guidance of moderators, 230. Among these, Aligheri holds the first place, especially if it is observed that he has united his study with the study of religion and has so conformed his mind to the precepts of the Catholic faith, that from his very vocation, even in times of bitterness, exile, or departure, he has never ceased to sing the mysteries of religion with divine inspiration, 582; therefore, the Most Holy Father praises the restoration of the Temple of St. Francis, which recalls the piety of the poet, the funeral and sepulcher, the council, as if for men of Catholic life devoted to the Lord Jesus Christ, are revived, 76. Dante responds; the undertaking is commended, and ten thousand Italian coins are contributed to the aforementioned building, 583. Offices and Masses, whether of common confessors or not, and of many priests or virgins, or not, are approved and granted, 282; however, they can only be added to particular offices, but not to the Roman Breviary, 407. Mortier H., General Moderator of the Congregation of the Immaculate Heart of Mary, received a letter in the year ending the fiftieth, from the same Congregation, which is inserted in the Roman Breviary, in which the Most Holy Father praises the Congregation, commends the charitable benefits that are enjoyed by the members, which are well deserved for the Church and the Apostolic See, especially in spreading the Christian name; he urges them to never stray from their own vocation, 692. A book of variations for the Divine Office is approved, 113. Doubts are resolved, 709. The Office approved on January 27, 1853, should be used for the feast of St. Genovefa by N dioceses of France which did not have that feast inscribed in the calendar; nothing is changed in Spain with regard to the Office of

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auxiliary feasts, 285. Németh Joseph, titular Bishop of Isaura, Bishop of Csanad, receives the votes of the Most Holy Father, celebrating the fortieth anniversary of his episcopate and the sixtieth anniversary of his priesthood, 225. The novitiate: a full year, not strictly of hours, but to be understood day by day, is intended for the Holy Savior.

[*Latin ed. p. 760*]

760 Index analyticus rerum notabilium: Oratio de Pontifice defuncto a Rmo P. Mas-: Parochial church does not possess, by law, the right to hold funerals, 434. Decree of the Most Reverend Father concerning the election of the Supreme Pontiff, pronounced by the Most Reverend D. Aloisius Galli, 477. Eastern religious confessors among the Latins, and conversely, are subject to the decree of the Holy See concerning Religious regarding the absolution of sacraments, of August 5, 1913, 232. The power of a parish priest, although not a true external jurisdiction, is nevertheless a certain economic or domestic power within the parish, which has a truly external administration, 154. Emilio Peillaube, director of the "Seminary of Saint Thomas Aquinas" in Paris, receives a letter in which Pius X praises the exemplary constitution of his Seminary, and commends his solicitude and care in guiding the students towards a spirit of prayer and perfection, 472. Aloisius Oster, president of the council for the administration of the work of the Holy Infant Jesus in Upper Germany, receives a letter in which Pius X expresses his joy and gratitude for the charity shown to the children, and prays that this work may flourish ever more, 105. Joseph Pelcsar, Bishop of Premislaus, receives congratulations from Pius X on the occasion of his fiftieth anniversary of priesthood and the diocesan synod, 181. He also receives a letter in which Benedict Perrin Leonidas, of the Canadian College, receives a letter in which Pius X rejoices and congratulates him on the twenty-fifth anniversary of the founding of the same college in Rome, and earnestly asks that the work may flourish more and more, 694. The Pia Society of Saint Jerome for the dissemination of the sacred books of the Gospels is commended by the Most Reverend Father, 539; see Cassetta. The seat of Ostia is separated from Veliterna, and together with the diocese, it will be governed by the Cardinal Dean, 219. G., Archbishop of Vienna, receives a letter in which Pius X commends the force and nature of his words regarding serious questions, 130, but rejoices at the memory of Ferdinand Trauttmansdorff, auxiliary bishop of Cremona, who presented the "Katholischer Volksbund," which demonstrates filial devotion and complete obedience, and Pius X rejects the system of inter-confessional societies, recognizing that the social question is not only economic, but primarily religious and moral, 166. The diocese of Parahyba is exempted from the metropolitan jurisdiction of the Church of Olinda and is elevated to the metropolitanate, to which the suffragan dioceses of Cajazeiras and Natal are assigned, as well as the dioceses of Olinda, which are likewise

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separated from the Church of Olinda, 188. The parish priests of Rome, in the districts of Rocchetta and Palmatoria, are granted a privilege, with the observance of rubrics and decrees, 708.

[*Latin ed. p. 761*]

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— eorumdemigrationibus, confirmatis praescriptio- ACTA, vol. V I, n. 22. — 31-12-914. ~ 55.

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[*Latin ed. p. 763*]

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[*Latin ed. p. 764*]

76. Index analyticus rerum notabilium ferendi gradus academicos, tamquam textum Carmelitidianum monasterium Lexoviense tum haberi Summam theologicam S. Thomae, habitum religionis sub nomine "mae," et latino sermone explicari. 340; Teresia a puero Iesu assumere, et vota nulla potestas conferendi gradus in posito solemnia nuncupare. Munere auxiliarii tristerum cuiquam Instituto, nisi haec praecepta tironum magistrae rite sancteque perscripta servet, tribuetur; illis vero quae, iuncta, vigesimo tertio aetatis anno, iam hanc potestatem habent, ea privalethali pulmonum labe vexata, patiuntur, nisi post tres annos his praetissime eam tulit usque ad mortem. Sanscriptionibus obtempèrent, 341. Fama sanctimoniae, quam viva sibi eo m paraverat, mortuum secuta est et inclaruit. Tituli cultus insueti pro ecclesiis imaginibus ita ut a Pio Pp. X Commissio introdunon sunt adhibendi, 146, 388. Causa actionis ad eius beatificationem Titulus «Cordis Iesu eucharistici» in:consignetur, 381. Fraternitatibus sub eo titulo approbatis Theses viginti quatuor a S. Congregatione permittitur, dummodo hoc sensu intelliatur Cor Iesu prout est praesens in SSmmo Sacramento, 383. Studiorum, in doctrina S. Thomae con tentae et a philosophiae magistris propositae, adprobantur, 383. — numquam, est recognoscendum et admit tendum in sacra liturgia, 383. — sub hoc titulo confraternitates, tamquam proprium tantum celebrent festum Ssmi Cordis Iesu vel Ssmi Corporis Christi, 383. Tocognensis praefectura apostolica in Africa aequatoriali, geographice servatis limitibus, in vicariatum apostolicum erigitur, qui curis Missionariorum Societatis Fidei de Steyl concreditus manet, 179. Transitu (a) S. Ioseph pro agonizantibus Societas, v. Societas. Doctorum Ecclesiae invenerunt, dum

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Thomas nec sana ratio vult negligi, nec Religio patitur ulla ex parte minui, 337; hoc praesidio catholica veritas desti tuta, frustra defendetur ab ea philosophia non repugnante erroribus Materialismi variique Modernismi. Numquam ergo qui philosophiam et sacram theologiam tradunt, ab Aquinate discedant, atque meminerint idcirco sibi factam esse potestatem docendi ut discipulis probatissimas Ecclesiae doctrinas imperent, 338; ad sacram theologiam praesertim colendam, in omnibus Universitatis ubi gradus academici conferuntur, de ipsa Summa theologica habeantur scholae, ut illustrentur et intelligantur de creta et acta Ecclesiae docentis, nam nullum, post exitum S. Doctoris, habitum est Concilium, cui ipse non interfuerit doctrina sua, 339; ut ergo genuina et integra S. Thomae doctrina in scholis floreat, vult et iubet Pius Pp. X in omnibus Universitatibus quibus est potestas conferendi gradus academicos. Vachère Caesarius, praetensio supernaturati manifestationibus simplicium anisertim commovens, 226, pervicaciter contumax, nominatim ac personaliter ex communicatur, 227. Vagus ut aliquis habeatur, sufficit ut procreetur recessus a priori domicilio, et animus illuc non amplius revertendi, 399. Vaticana editio Breviarii Romani, v. Breviarii Romani. Veliterna sedes ab Ostiensi scinditur, 219. Vianney Ioannis Mariae (B.) parochi « Ars », cum a die eius beatificationis cui.

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